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REPORT

INTERROGATORIES.

OF THE

COMMITTEE OF GRIEVANCES

COURTS OF JUSTICE

OF THE

House of Delegates of Maryland.

ON THE SUBJECT OF THE RECENT MOBS AND RIOTS

IN THE CITY OF BALTIMORE,

TOGETHER WITH THE

DEPOSITIONS

TAKEN BEFORE THE COMMITTEE.

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INTERROGATORIES,

Submitted to the witnesses summoned by the Committee of Grievances and Courts of Justice, on the subject of the late Riots in Baltimore.

Interrogatory 1. Do you know of the destruction of a house in Gay-street, in the City of Baltimore, on the twentieth of June last, in which the paper of the Federal Republican was published?

Inter. 2. Were you there? Did you see either and any of the Magistrates, Constables or Judges present? If you did, who were they? And were any exertions made either to prevent the destruction of the property or to arrest the rioters? If there were any endeavours, by whom were they made? And if they were unsuccessful, was the interposition of the military demanded? If it was, was it denied or ordered out? And if ordered out, by whom was it ordered? And were the orders obeyed? And by what officers?

Inter. 3. How many appeared to be engaged in this commotion? And how long did they remain together in the destruction of the house and property?

Inter. 4. Can you say of what descriptions of persons, whether natives or foreigners, were principally the rioters?

Inter. 5. Have you any knowledge that the attack was the result of a preconcerted plan, and when was it laid, and by whom?

Inter. 6. Do you know whether any and what information was given to any of the civil authority of a contemplated destruction of the building? If you do, when was it given, to whom, and what was the answer of the officer?

Inter. 7. What was the probable value of the property destroyed?

Inter. 8. Were either Alexander C. Hanson or Jacob Wagner, the editors of that paper, injured, or pursued with an intent to injure them? If they were, by whom were they pursued?

Inter. 9. Have you any knowledge of vessels regularly cleared out by the constituted authorities being dismantled, by whom, and when and how?

Inter. 10. Do you know that the interposition of either the Mayor, the State Officers, or the Officers of the United States, were required? If they were, by whom? Of whom? And was any aid yielded or denied? And for what reasons?

Inter. 11. Do you know of the destruction of any other private property, except as connected with the establishment of the Federal Republican office, by any popular commotion? If you do, state by whom, and when, and to what extent, and the assigned causes for the outrage?

Inter. 12. Do you know of any attempt or design to destroy any place of public worship in the city of Baltimore? If you do, state the persons who were engaged in, and every thing connected with the same--and how was it prevented?

Inter. 13. Do you know of any combination to persecute and drive from his residence any citizen of Baltimore? If you do, mention by whom the same was formed, and every thing with it.

Inter. 14. Have you any knowledge that any of the civil authorities, or the attorney-general of Maryland, were present at any popular commotion alluded to in the preceding interrogatories, or had any knowledge of the same?

Inter. 15. Were you present at an attack made on the 27th of July last on a house in Charles-street, in the city of Baltimore, from which the Federal Republican was issued? If you were, state every thing connected either with the attack, defence, or agency of the civil or military authorities of the city of Baltimore, so far as you have a knowledge of the same.

Inter. 16. Had you any reason to suppose that any such attack was designed? If you had, state the facts inducing such a supposition; and if you, or any other person to your knowledge, called either upon the Mayor or the civil or military authorities to adopt measures, either of precaution or protection—if you did, to whom did you apply, and what measures were taken? If denied, what reasons were assigned for the refusal?

Inter. 17. Was any call made by the civil authority upon the militia? If so, by who, and upon whom, and by whom were the orders issued, and to whom? What were the orders? And were verbal or written orders given, or both, and what were they?

Inter. 18. Were the orders issued by the military obeyed? If not, by whom were they disregarded? And what were the reasons assigned for refusing to obey them? And has the brigadier-general ordered any investigation into the conduct of the refractory officers for a disobedience of orders?

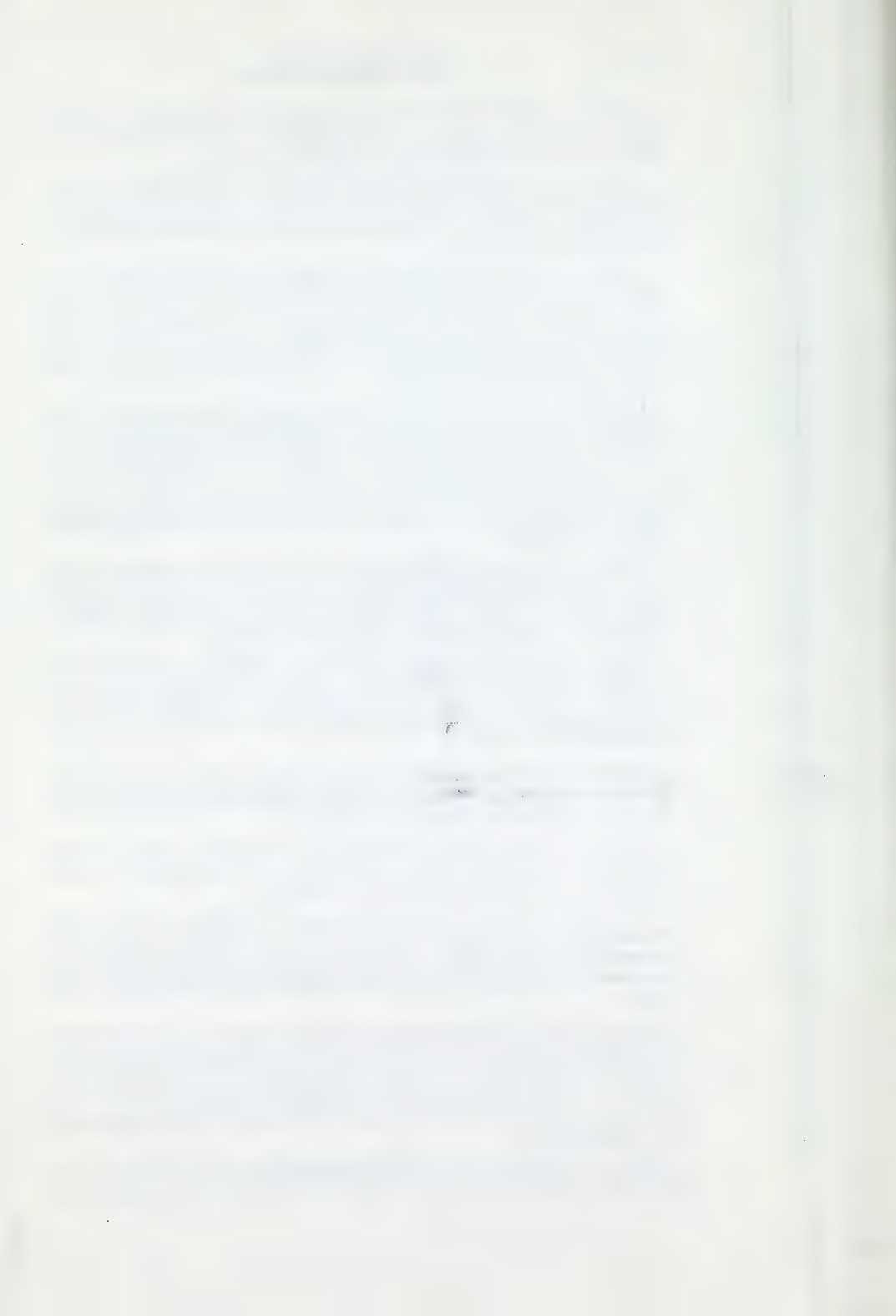
Inter. 19. Have you any knowledge that the attack on the house in Charles-street was the result of a digested plan? If so, by whom was the same arranged, and when and where?

Inter. 20. Have you any knowledge that the plan embraced the proscription or injury of other citizens not connected with the establishment of the Federal Republican office?

Inter. 21. Were you present at the gaol of Baltimore on the 28th day of July last? If so, state every occurrence which came within your knowledge relating to the breaking in the same, and the attack upon the persons detained therein, and the murder of General James Lin-
gan.

Inter. 22. Do you know if any of the militia was ordered out on that day for the protection of the gaol? If so, who were ordered out, and by whom were they ordered? Did they obey? If so, did they repair to the gaol? When were they dismissed? And by whom? And for what reason? If they disobeyed, what reasons were assigned for the disobedience?

Inter. 23. Do you know of the assembling of a mob before the post office in Baltimore with a view to destroy it? If you do, state



INTERROGATORIES.

all your knowledge of that event. State particularly your knowledge of the interposition of civil or military officers, and how the mob on this occasion were induced or compelled to desist.

Inter. 24. If you know any other matter or thing relative to the said mobs or riots in the city of Baltimore, or relative to the misconduct of any officer, civil or military, or other persons, in the said city, relate the same particularly and circumstantially, as if particularly interrogated thereto.

Inter. 25. Did you hear, or have you heard, of any person being summoned by any civil officer to aid and assist in the preservation of the peace of the city? If you did, by whom? Who were they that were summoned? Did they obey the summons? If they refused, what reasons were assigned for their refusal?

Inter. 26. Do you know if any application was made to the chief justice of the court of oyer and terminer and general gaol delivery to bail any of the persons confined in the gaol on the 28th of July? If so, by whom was the application made? Was it granted? If not, for what reasons was the same denied?

Inter. 27. Do you know if either John Montgomery, Gen. Stricker, or Edward Johnson, were consulted upon the application for bail? If so, what course of conduct did they, or either of them, advise? And what reasons did they assign for the same?

Inter. 28. Do you know, or have you heard, any reasons assigned by Gen. Stricker for ordering out Col. Sterett's regiment in preference to any other?

ORDERED, That the Witnesses be requested to reduce to writing every explanation which they deem desirable, as no verbal explanation is required.

THE COMMITTEE

OF GRIEVANCES AND COURTS OF JUSTICE,

To whom the following Order of the House of Delegates of November the eighteenth, eighteen hundred and twelve, was referred—

“ORDERED, That the Committee of Grievances and Courts of Justice be and they are hereby instructed, to inquire into the late Riots and Mobs in the City of Baltimore, and the causes thereof, with a view to ascertain whether there has been any culpable inertness or neglect of duty on the part of any of the Civil or Military Officers of the state, or whether the defect is in the Law, in order that the proper remedy in either case may be applied.”—

BEG LEAVE TO REPORT, IN PART—

That in compliance with the Order of the House of Delegates, and under the exercise of a general power with which the Committee of Grievances are invested, they have inquired into the recent disturbances which have so agitated the city of Baltimore, and depressed the reputation of our state in the eyes of our sister Republics, “the causes thereof, and the conduct of the civil and military officers in relation thereto.” They find, from the testimony collected by your committee, and which accompanies this Report, that the city of Baltimore has for a long time been considered as the ardent advocate of every measure of the general government leading to the War in which the Nation is now engaged.

That the Federal Republican, edited by Messieurs Hanson and Wagner, exercising a constitutional right of reviewing the measures of the national cabinet, arraigned, in glowing colours, the integrity and policy of the system which was to plunge the nation into hostilities: That the exercise of this right produced a general spirit of intolerance against that establishment; and that leading and distinguished advocates of the administration, were so far forgetful of the spirit of our constitution, of the sacred protection which the freedom of the press required from their hands, and of their obedience to the sovereignty of the law, as to indulge in denunciations against the establishment, and to circulate the horrible impression, that the same course of strictures upon the measures of the cabinet, would, after a declaration of war, merit and receive the summary application of popular vengeance. The fitness and correctness of this

cratical presses, having an extensive circulation amongst that description of persons the most likely to be impelled to excesses, and the fit instruments of outrage—That under the influence of the feelings excited by the above improper expressions of distinguished characters, and publications in the democratic papers; committees were organized by men of daring character,

only one of whom has been named to your committee,) to obtain subscribers to a plan, having for its undisguised object, the demolition of the Office of the Federal Republican. In this effervescence of the public feeling, and state of preparation, the Congress of the United States declared war on the eighteenth of June. The editorial remarks in the Federal Republican on the ensuing day, reprobated the motives and expediency of the measure: The ministerial papers replied to those remarks in a style of bitterness and acerbity, well calculated to direct and secure the consummation of the promised threat of revenge. On Sunday rumours were afloat, and a belief entertained, that public meetings at Pamphelion's Hotel, The Apollo, and Stewart's Gardens, had determined to silence the press. On Monday the paper appeared without remarks on the attitude which the Congress had assumed; but still, well grounded apprehensions were entertained by Mr. Wagner, that his establishment and person were both endangered, and he took the precautionary measure of removing his book of accounts from the office. In the evening the plan of lawless outrage was commenced by a parcel of boys and a few men. The assemblage quickly augmented, bringing with them fire-hooks, and every apparatus requisite for the destruction of the building. The operations of the Mob were conducted with a regularity and subordination inducing a belief that the whole was the result of a digested system of operations, and terminated in a loss to the proprietors of three or four thousand dollars.

In this work of destruction a Frenchman was the most conspicuous and voracious agent against the establishment, upon account of the general tone of its politics. A portion of the rioters, under a belief that Mr. Wagner was concealed in the old office of discount and deposit, attempted to enter the same; from this they were diverted by the zeal of two democratic gentlemen, who gave them assurance that Mr. Wagner was not there. The destruction of the house cost much labour and time; during which many stood by, and contributed nothing to the protection of the rights guaranteed to the citizens by our form of government. From the force of this remark, your committee with pleasure except the names of Edward Johnson, the mayor of the city, and Judge Scott, who used every persuasive suggestion to divert the mob from their outrage, but who omitted to attempt a resort to the power conferred by the vigilance of the legislature, in procuring a regulation for a military force,

when they saw the civil authority inadequate to the security of Mr Wagner and his property. From the office of discount and deposit a part of the mob proceeded to the house of Mrs. Wagner's father; and a committee, appointed by themselves, searched every apartment of the house; there an Irishman was the most noted for his savage threats. They next visited Mr. Wagner's own house, and used every stratagem which rage suggested, to hunt out the contemplated victim of their revenge. No efficient measures being adopted the ensuing morning by the constituted authorities of the city, to arrest the rioters, and to cause them to enter into the customary recognizance to keep the peace, they were emboldened, and sought for new victims; they collected in the evening, with a force almost incredible, at the house of one Hutchens, charged by them with using expressions derogatory to the character of General Washington. They demanded him, with expressions of rage evidencing a determination to sacrifice him--The mayor had prevailed on him to escape. To prevent any violence to his house, and to cause the rioters to disperse, it was suggested that the mayor and George E. Mitchell, Esquire, late a member of the executive council, should enter the house and search it; this they did amidst the cries of Hutchens's children, and reported to the mob that he was not to be found--They then dispersed, with promises of future vengeance against him, and those who either should rally for his protection or for the preservation of the peace of the city. To the shipping, regularly cleared out according to the laws of the United States to unprohibited parts, and bearing the products of our soil, they turned their attention; and in their strength, by dismantling the vessels, they prohibited to the merchant the pursuit of wealth in the channels sanctioned by the government of his country. In the wantonness of their cruelty the unfortunate blacks attracted their attention; and Briscoe, a free negro, charged with the expressions of affection for the British nation, has to deplore the sacrifice of his houses, (amounting to about eight hundred dollars,) by their unfeeling agency. An African Church, erected by the piety of the well disposed for the improvement and amelioration of the blacks, became to them an object of jealousy; and rumours of a combination for its destruction, at length aroused the municipality of the city from its lethargy, and a patrol of horse, by overawing the turbulent, gave to this unhappy place the appearance of quiet.

Your committee have omitted to present to your consideration a variety of incidents, where private revenge sought its gratification under the imposing garb of zeal against the reputed enemies of their country; and where those citizens who have sought asylum here from the oppression of their own governments, attempted to gratify their embittered passions by

proscriptions of each other, the alleged causes of which existed before their emigration. To this source may be traced those convulsions of the city, where the United Irishmen and Orange-Men were the most prominent. During this prostration of the civil authority, Mr. Wagner sought an establishment in the District of Columbia, where the Federal Republican was revived. Mr. Hanson, impelled by considerations of duty to his country, and believing that a decisive stand ought to be taken for the preservation of the freedom of the press, resolved on its re-establishment in the city of Baltimore. A right secured to him by *the first principle and express language of our compact*. Woful experience had taught him to believe, that the same spirit of intolerance which led to its first annihilation, would again manifest itself, by an attempt to prevent its re-establishment; and confidently expecting that a resistance on the first onset would lead either to the dispersion of the mob, or the interposition of the civil authority, and thus cause a recognition of his right to locate his establishment there; he organized, by the aid of his personal friends in Montgomery, a force for, and a plan of, defence, but not of aggression. In execution of this design he came to Baltimore on Sunday the twenty-sixth of July—his friends arrived on the same day: their arrival was known but to few. The means of defence and resistance, had been previously prepared and deposited in the house, with a secrecy and caution, defying a suspicion of the object; and on Monday morning the Federal Republican was circulated amongst the subscribers, purporting to be printed at No. 46, Charles-street. This paper contained spirited strictures upon the lawless temper of the city, and the indisposition of the civil or military officers to discharge the respective duties of their office; and upon the executive of Maryland. It does not appear to your committee, that the state of preparation in which Mr. Hanson and his friends were, was known to the citizens generally, or that any acts were done by them, either calculated to excite irritation or apprehension of aggression in the minds of the citizens.—Their course of conduct during the whole day evidenced a determination to adhere to the original design, of avoiding all ostentation of preparation, and to act entirely on the defensive. During the day, information was communicated to those in the house, that an attack would be made: every precaution which prudence and humanity suggested was adopted, to prevent any occurrence which might attract the attention of the mob. About early candle light, the wicked and daring attempt to expel a citizen from his residence, or to involve in one common ruin himself and his property, was commenced, and continued, notwithstanding frequent and reiterated solicitations by the persons in the house to desist, and to withdraw. The house, which was in a state of utter shattering, was even a life of intimidation permitted from the

house. At this, the mob dispersed; but shortly returned with a drum, and fire-arms, and with an increased violence attacking the house most furiously in the front and rear. But the same spirit of forbearance animated its defenders, till the door was burst open, when a discharge of musquetry wounded some of the assailants. Judge Scott hurried to this scene of uproar, and, with Mr. Abell, used every persuasive argument to induce the mob to desist, but with no success; his language and authority were alike treated with contempt. Every exertion which men divested of reason, and inflamed by passion could make, was made to destroy the defenders of the house—To execute this savage design, the door was again burst open, and a man by the name of Gales, the chief of the mob, shot dead as he entered. A field-piece was procured by the mob, and elevated at the house.

While this bloody scene was acting before the house of Mr. Hanson, many well-disposed citizens, alarmed for the peace of the city, and anxious for the preservation of the persons in the house, gathered at Brigadier-General Stricker's; who, irritated by Mr. Hanson's return to the city, which might be the innocent cause of a requisition being made upon him by the civil authority, which would necessarily be attended with a responsibility, received some of the applications which were made to him, for the interposition of a military force, in a style well adapted to excite irritation; but still consented to obey any call which the magistracy should deem it expedient to make on him. But such was the intolerant spirit of the magistracy against that establishment, or such was their anxiety to avoid any responsibility for their official duties, that great difficulty and much delay occurred in procuring two magistrates sufficiently devoted to the public good, and their oath of office, to sign the requisition. Major Barney, of the cavalry, before this, had received an order to repair to his general, which he obeyed with alacrity, and received from him a copy of the orders herewith submitted. Major Barney, with about thirty horsemen under his command, moved down between 1 and 3 o'clock to the house. The mob, apprehensive of an efficient resistance, were alarmed, and at his approach generally retired. But his conduct soon dispelled their fears, and gave rise to a belief among them that he was either unwilling, or incompetent, to enforce their dispersion. Thus all apprehensions of the military or civil interposition being banished, the timid were emboldened, and the firing unchecked by any suggestions of a future accountability.

The mayor, the attorney-general, general Stricker, and some citizens distinguished by their political consequence, became the negotiators between the gentlemen in the house and their vindictive assailants. This negotiation terminated in an arrangement, that Mr. Hanson, and his friends, should be conducted to

the gaol as a place of security, under a solemn pledge, that every possible exertion should be made for their protection, and the security of their property.

A military escort was prepared, and a guard of unarmed citizens. A hollow square was formed, within which Mr. Hanson and his friends, accompanied by those who had promised them protection, and some other citizens of the greatest political weight, entered; and thus attended by hundreds crying for vengeance, and pressing on for their destruction, they reached the gaol. During this agonizing march, when the ferocity of the mob excited a general belief among those who had confided themselves to the civil power that their destruction would ensue before they should be put into the promised place of protection, frequent attempts were made to massacre them, by the throwing of stones, notwithstanding it endangered the lives of the political favourites of the mob.

Some of those who had been in the house at the commencement of the attack, attempted by various modes to insure a retreat—Some were arrested in their flight by the mob; and the savage temper of this "many headed monster" displayed itself in the cold and deliberate manner in which it planned the execution of its captives.

Revolutionary France furnished the lawless precedent of exhibiting upon the lamp post, by the irresponsible fiat of the populace, those who were supposed wanting in duty to the republic. A native of our country was seized on, and an attempt made to imitate the example set by the blood-thirsty Parisians.

From the completion of this sanguinary deed they were prevented by a stratagem suggested by democratic gentlemen, inducing a procrastination until an appointed hour, when they repaired to the place of confinement, to drag forth their victims, before then removed by the interposition and zeal of his friends.

After Mr. Hanson and his friends were placed in gaol, a general apprehension was entertained that the mob would, on the ensuing night, endeavour to force their prison, and glut their vengeance on the unarmed prisoners. The whole city was in a state of commotion; the criminal court was closed, and the anxious and inquiring countenances of the citizens denoted an apprehension of an approaching tragedy, in which all the barbarities which ferocious men, unchecked by the wholesome restraints of the law perform, would be exhibited. The prison was surrounded by groups of an infuriated mob, eternally demanding vengeance.

The weight of character, the necessary concomitant of wealth and political standing in society, was not generally brought into action to allay the excited feelings of the city; but, on the other hand, a belief was impressed that Mr. Hanson and his immediate political friends, were enemies to the country; and that

visit to Baltimore was the consequence of an arrangement to insult and dragoon the citizens: that they were murderers; that they would avail themselves of a constitutional right to change the *venue* to an adjoining county, and thus escape the punishment due to their crimes—The Whig gave extensive circulation to these strictures. The general spirit of intolerance against the establishment, united with the occurrences of the day, and these excitements, produced an apathy among the well disposed, and gave an increased activity to the turbulent and vindictive.

The mayor and brigadier visited those confined in gaol, refused them arms for defence, and gave them solemn assurances that a guard would be stationed in and around the gaol, and that whatever power the civil or military could wield, should be given for their protection. Other citizens repaired to Judge Scott's, and required that the military should be ordered out; and after a considerable delay the requisition to brigadier-general Stricker was procured, who issued to col. Sterett, commanding the fifth regiment, to major Barney, of the cavalry, to colonel Harris, of the artillery, the respective orders accompanying this report. It appears to your committee that whatever may be the construction of the orders given to colonel Sterett, general Stricker verbally forbid him to deliver out to the men under his command ball cartridges. Of colonel Sterett's regiment thus ordered out, but thirty or forty obeyed the call of their commander; this defection, in the opinion of your committee, may be traced to the united causes of indisposition to protect the persons in the gaol, an apprehension of immediate danger, of future proscription, and to the inefficient preparation under which they were ordered to march—of the cavalry but a few attended.

During these operations in Gay-street, it was known to those ferocious monsters who panted at the gaol for the blood of their unarmed fellow-citizens, that the military were ordered out. The mayor used every persuasive argument to induce them to disperse, and to effect that, gave them a solemn pledge that neither Mr. Hanson nor his friends should be bailed. These assurances, united with apprehensions of a formidable resistance from the military, produced from some a reluctant promise that the gaol should not be attempted—Some of the most daring had left the gaol, and repaired to see the operations of the force convening to arrest the completion of their horrid designs. At this unfortunate moment, an interchange of opinion took place between general Stricker and others, which resulted in a belief that the interposition of the military would not be requisite, and that if any should be required, the force collected would be insufficient; orders were given to dismiss the military—it was the signal of destruction. The mob collected with a savage hur-

intreaties of the mayor, they attacked the sanctuary of the prisoners.—The outer door was opened by treachery; the inner doors yielded to their rage and force; they entered the room of the gentlemen: there a scene of horror and murder ensued, which for its barbarity has no parallel in the history of the American people, and no equal but in the massacres of Paris. The good, the venerable, the gallant General Lingo, whose early life was distinguished by his active and manly exertions to rescue this country from the controul of a British parliament; who was honoured by the confidence of the immortal saviour of the nation, and who practised every christian virtue, was here overpowered by these sons of murder, and became the victim of their merciless ferocity. Seven or eight of the gentlemen were thrown in a heap, under an impression, entertained by these assassins, that they were dead. Some effected their escape by stratagem, or by the interposition of some protecting friend. One was detained as a subject for the trial of every refinement of torture which their fiend-like invention suggested. The humanity of certain medical gentlemen was exerted, and by their interposition, under Divine Providence, those supposed to be dead were restored to life and society. On the ensuing day a general terror prevailed throughout the city.

Your committee further find, that no attention was paid to the preservation of the house and property thus abandoned, but that a few men were suffered, during the day, to be actively engaged in doing every possible injury to the same. Federalists, deeming themselves insecure from a conviction, arising from past occurrences, that the civil power was too feeble for their protection, and that the military were unwilling to rally around the judiciary when the object was either the security of their persons or property, fled in every direction.—No exertions were made to arrest the disturbers, and they assumed to themselves the sovereign power of controuling the government of the United States, by regulating the concerns of the post-office. They assembled with a view to the demolition of the office, in order to collect and destroy the papers of the Federal Republican, transmitted by mail to subscribers in the city. The activity of Mr. Burrell, of the post-office, discovered the combination, and with promptitude communicated to the mayor and brigadier-general the grounds of his belief. They became at last convinced of the fact, which the experience of all countries had proved, that the mobs of populous cities can only be restrained and overawed by the application of an efficient force.—And the general, without any written requisition, but upon assurances that any should be given thereafter which the result of his opposition might require, ordered out the whole of his brigade, at the head of which he appeared, as became a military chief. A distribution of ban took place, and every preparation was made,

evidencing a determination to disperse the tumultuous. But even here, surrounded with the military, the civil power did not abandon the same wretched system of concession and conciliation; for it appears to your committee, that upon the manifestation of a spirit of insubordination among some of the military, the mayor proposed to the post-master to deliver up the Federal Republican papers, to be carried to the dwelling of the mayor, with a solemn assurance to the mob, that they should be returned in the morning by the mail to Washington. The post-master stated the embarrassments arising from the nature of his official duties; and upon a consultation at the residence of Mr. Burrell, the proposition was abandoned, and a resolution adopted to protect the establishment. Before which, the mayor avowed a determined resolution to protect the office, but at the same time to allay the irritation of a portion of the militia, who complained of their being called out for the protection of the Federal Republican, he stated, "You are not assembled to protect the paper; you are marched here to protect the property of the United States, and to support the laws. I, myself, would draw my sword, and head my fellow-citizens, to put down that establishment." An order from the colonel, and the voluntary charge by two of the horse, dispersed the rioters. For many successive nights a military guard was stationed; a determination was manifested that the peace of the city should be preserved, and it produced the effect—The grand jury, in its regular course, investigated the subject, and presented some of those engaged in the murder and riots. They were arrested and committed to prison; threats of rescue were made; a military force was stationed during the night at the prison, and artillery planted in the hall of the gaol. These operations were attended with an uniform result, establishing incontrovertibly, that the course of forbearance and concession selected by those charged with the preservation of the peace of the city, was productive of no other effect than to embolden the wicked. The trials took place—The first of them exhibited a temper in the jury, utterly inconsistent with the object of criminal jurisprudence, the punishment of the guilty; the attorney-general of Maryland frequently declared his belief that no conviction against the offenders could be had; and still omitted to enter a suggestion on the record that the state could not have a fair trial, and to pray that the records might be transmitted to another county. An universal acquittal of the most blood-thirsty ensued; and the melancholy apprehension is now entertained, that the wicked have nothing there to fear from the retributive justice of the state.

Your committee further find, that the ordinary power with which the magistracy are invested for the preservation of the peace of the city, was in no instance, except as stated by your

committee, called into action; that the constables are corrupt, and exercise an undue influence over the magistracy, that the Court of Oyer and Terminer and General Gaol Delivery is conducted in a manner inconsistent with the dignity due to a tribunal invested with such extensive power.

Your committee find, that during the morning of the twenty-eighth of July, John Montgomery, Esquire, did, in order to prevent the firing of the cannon levelled at the house, make use of every exertion, and encountered great danger, and that during these agitations, frequent meetings of the most respectable citizens of both parties were convened by the mayor, in order to concert some plan of operations to insure the peace of the city, and which uniformly resulted only in recommendations to the turbulent to forbear, and recommending a proclamation, to be signed by the magistracy, calling on the peace officers to be vigilant in the preservation of order.

Your committee have presented to your consideration the causes and extent of the late riots.—They now will submit to you an expression of their opinion, formed upon a dispassionate examination of the testimony, “as to the conduct of the Civil and Military Officers in relation thereto.” It is the opinion of your committee, that during all the agitations which have convulsed the city of Baltimore, Edward Johnson, Esquire, did every thing which could be required of him as a private citizen; but they have to regret, that, as Mayor, charged with the preservation of the quiet of the city, his forbearance, and indisposition to resort to the ordinary powers of coercion, with which he was invested, against the turbulent and wicked, was so distinguished as to encourage a belief that he connived at and approbated their excesses. That he was guilty of a most reprehensible indiscretion, when he used to the refractory militia intemperate language against the Federal Republican, the inevitable effect of which was to incite and excite, by his weight of character, the popular passions against the same. That when he, at the Post-Office, surrounded with the military and his political friends, submitted a proposition, the object of which was to ensure the triumph of the illegal combinations of the Mob, he evidenced a timidity, and a want of judgment, irresistibly inducing a belief of his unfitness for the station which he filled. That his course of forbearance, united with the wicked inertness of the magistracy, and deplorable corruption of the constables, nurtured and gave a stimulus to that horrid spirit of licentiousness, which terminated in the tragical and lawless events detailed by your committee.

That General Bricker, aware of the ferocious and blood-thirsty temper of the Mob, who were eternally vociferating “blood for blood,” and seeking to satiate their vengeance by the

to gratify the spirit of the requisition made on him by the civil power, when he issued to Major Barney orders not calculated to ensure the return of order and peace, by enforcing the dispersal of those who were violating both.

That Major Barney erred, when (although tied down by his orders, and evidencing every disposition to prevent the effusion of blood and to allay the violence of the Mob,) he attempted, by conciliation and persuasion, to induce the Mob to disperse, which had the effect to banish that awe and apprehension which the presence of an armed cavalry naturally inspires. That his pledge to the Mob, that none of those in the house should escape, was calculated to give all that confirmation which would necessarily result from the expression of his opinion, that the gentlemen in the house were the aggressors, and that the Mob, of course, were justified in their horrid outrages. That General Stricker, knowing as he did, that a portion of his brigade manifested a spirit incompatible with the gratification of any military order, which the requisition on him demanded, and being present, when the sanguinary temper of the rioters evidenced itself, in a force incompatible with the safety of the persons marching to the gaol, and unchecked either by the interposition of the military force with which they were surrounded or by the presence of the political friends of the mob, failed to do his duty to his country when he omitted to order out a larger portion of his brigade on the 28th.—That he was guilty of a manifest departure from every principle of prudence, when he, by a verbal, rendered unavailing a written, order, given to Colonel Sterett, to fire on any assailants. This restriction, in the opinion of your committee, merits the most decided reprobation, as being utterly inconsistent with, and having a direct tendency to render inoperative, any application of a military force; nor can the dismissal of the troops on the evening of the twenty-eighth day of July, when opposite opinions were entertained as to the designs of the turbulent, when the civil power was lulled into a fatal security by assurances of an efficient military co-operation, when the General and his advisers were vibrating between apprehensions of danger and belief of security, when no exertions were made to sound the temper of the different quarters of the city, be considered in any other aspect than as the act of a timid mind, seeking to avoid a responsibility for the awful consequences resulting from an efficient military resistance. If the military assembled as a portion of the fifth regiment, was inadequate for the purpose of defence, General Stricker owed it to the solemnity of the occasion, to his pledge to the gentlemen in the gaol, to his duty to his state, to appear in the most impressive manner, and to invite all, either attached by military pride, by political association, or by patriotic duty, to any further measures, that he should

military preparation would have been productive of a result favourable to humanity, and our pride of state, is apparent from the occurrences connected with the operations at the post-office. The public had a right to demand that those wretches who had thus trampled on the law, and outraged humanity, should, by a fair administration of justice, be brought to punishment; it had a right to expect that the law officer of the state would see, that at least an impartial trial should be had.—Your committee are therefore of opinion, that John Montgomery, Esquire, the Attorney-General, when he believed that the sovereignty of the law could not, either from corruption in the jurors, or the influence of public feeling, an event anticipated from the very genius of our government, be vindicated in the city of Baltimore, was bound, both by his duty and his oath of office, to enter a suggestion of his belief, and pray for the removal of the trials to an adjoining county. This omission, in the opinion of your committee, demands from this house a severe animadversion.

All which is submitted,

By ORDER.

LOUIS GASSAWAY, CLK.

THE COMMITTEE OF GRIEVANCES AND COURTS OF JUSTICE,

BEG LEAVE FURTHER TO REPORT—

That they find, that Tobias E. Stansbury, then a Brigadier-General in the militia of this state, and now a Delegate to the General Assembly of Maryland from Baltimore County, on the twenty-eighth day of July last, at the Gaol of Baltimore County, did refuse to aid or aid the civil authority in the preservation of the tranquillity of the city—That he frequently used violent and inflammatory expressions, intended and calculated to excite the Mob to break the gaol, and to murder Mr. Hanson and his friends, who had confided themselves to the protection of the law; and to depress the exertions of those who laboured to allay the infuriated temper of the turbulent; and to divert the assassins from the consummation of their savage designs. That he was present when the cruelties were perpetrated either on General Lee or Lingan—That he has frequently before and since that day, expressed his opinion and wish that those persons, who were defending the house in Charles-street, ought to have been put to death, when in the house, by the Mob; and has also declared, that if he had been present, that he would have aided in their destruction.

When your Committee reflect upon the many manifestations of confidence which Mr. Stansbury has received from his immediate constituents, and the many functions of the law; when they recollect how frequently and solemnly he has sworn,

before the Supreme Being, to support the constitution and laws; when they consider the high and important command which he then bore in the service of the State, and the only object of which was the indiscriminate and general security of his fellow-citizens, they cannot but express their indignant feelings at the course pursued on that eventful night by General Stansbury, and their belief, that the evidence collected by them, is so strong as to justify a well grounded opinion, that he consented to, and countenanced, the completion of the horrible butcheries of that night; and that the House of Delegates of Maryland, is bound by every consideration of justice and expediency, to adopt every constitutional means with which it is invested to bring to a fair and impartial trial the said Tobias E. Stansbury, for his conduct in relation to the attack on the gaol, which terminated in the murder of General James Lingan.

By ORDER.

LOUIS GASSAWAY, CLERK.

DEPOSITION
OF
JOHN HOWARD PAYNE.

JOHN HOWARD PAYNE being first duly sworn, Saith—

IMMEDIATELY after the Federal Republican Office in Gay-street was destroyed, I acquainted Mr. Hanson, by letter, with its destruction. I suggested, that under existing circumstances it would be important and improper for him to visit Baltimore, without previously forming some plan of defence. I volunteered my own services, in case he should require the assistance of his friends. To this letter he made no reply.

About the 12th of July I arrived at Rockville, on a visit to Mr. Hanson. The destruction of the Office, and the total prostration of law in Baltimore, were the frequent themes of conversation. Mr. Hanson often expatiated on the possibility of having defended the Office against its destroyers. He alluded the case of Gen. Lee, who, during the revolutionary war, took possession of a house in which he repelled with only ten men a large body of British Regulars. Between the 12th and 20th of July, Mr. Hanson, Mr. Wagner, Mr. McClelland, and myself, conversed on the subject of the re-establishment of the paper. Mr. Hanson observed, that with a very few friends he would himself undertake to revive the paper in Baltimore, and shame those who supposed mobs to be invincible. I stated as my opinion, that in Baltimore he would be unable to procure an adequate protecting force. Mr. McClelland thought differently. Mr. Hanson said that there were persons in Baltimore on whom he could depend in any emergency, but that the majority were panic struck, and he must place his chief reliance upon his country friends, many of whom had already volunteered their aid, and urged him to vindicate the lawful liberty of the press. He added, that if any person would deposit arms secretly in the house lately occupied and then rented by Mr. Wagner, in Charles-street, he would issue the paper from it, and procure the requisite defenders. He stated that he would not at first risk the printing apparatus there, but that the paper might be printed in George-Town, and dated and distributed in George-Town and Baltimore at the same moment. Mr. McClelland instantly promised to procure, not only the arms, but persons to co-operate with the press, which Mr. Hanson should convene. Mr. Wagner also promised to contribute to the re-establishment of the paper. Mr. McClelland invited Mr. Hanson

more. Mr. Hanson rode about the country to consult his friends; and in these excursions I constantly accompanied him.

At the crisis now spoken of, and before, Mr. Hanson and myself had many confidential conversations concerning the proposed defence. In every instance, excepting that of Gale, I wish it to be understood, that I cannot at this time recal precise expressions, and have, therefore, in my own language, stated the substance of what I heard.

Mr. Hanson once remarked to me that he had become weaned from the paper; that his views and wishes were directed to another object; but as he seemed to be selected as the victim of political persecution, he would sacrifice his dearest hopes to comply with that solemn requisition, which at once imposed upon him the right and necessity of resistance. At another time he said, that could we succeed in wresting Baltimore from the tyranny of the mob, we should be hailed as the saviours of the city. At one time he expressed his determination to demand, on his arrival, the protection of the Mayor; and at another said, that the mob would not attack us when they knew we were prepared, or, if they did, one volley would disperse them. I once observed to him, that I had been endeavouring to fortify my mind against the terrors of the first attack, but could not anticipate, and possibly might be unable to govern, my sensations, when the stones should first fly, the doors crash, and the glass shiver into atoms. He replied, that the terrors of that moment would be nothing compared with the consequences which would result from the refusal of the proper officers to interfere; that when the day should break and discover the dead bodies of our assailants in the street, the populace, not reflecting on the fatal necessity which compelled the act, would become exasperated, and place us in a situation of unprecedented horror.

On the 24th of July, Mr. Hanson, his family and myself, left Rockville for Baltimore; on the way Mr. Hanson cautioned me not to recognise any of our party should I meet them on the road, as it was necessary and proper to avoid the imputation of entering the city with a guard. I left Mrs. Hanson and her children at Mr. Murray's, three miles from Baltimore, and entered the city on Sunday afternoon. When I got to the house in Charles-street, Mr. McClelland took me into the second story, and pointing to some muskets, said he had procured twenty-one of them. In the evening Gen. Lee called in. He suggested the possibility of our being taken by surprise, and that it was our duty to let no night pass without being fully prepared to resist an attack. The muskets were immediately disposed for defence, and a passage from the street to the yard blocked up. Mr. Crabb and Mr. Ephraim Gaither, Mr. Kilgour and myself, alternately acted as watchmen for the night. I believe that Gen. Langan, Mr. Hanson, Mr. Heath, Dr. Warrick, Mr. Sprigg,

and the four others previously named, were the only persons who spent Sunday night in the house.

Early on Monday morning the muskets were replaced in the second story. The paper arrived about 9 o'clock by express from George-Town, and was quietly distributed. During the day the house was thronged by visitors, who came to congratulate Mr. Hanson on the revival of his paper. In the course of the morning I asked Mr. Hanson whether he had made the intended application to the Mayor. He said that the proprietor of the house had anticipated him, and received from the Mayor an unequivocal refusal to interfere.

About dusk many gentlemen, whom I had not seen there before, appeared in the house. On an alarm being given that a mob was collecting, or had actually collected, Mr. John E. Dorsey, the uncle of Mrs. Hanson, and myself, were dispatched by Gen. Lee and Mr. Hanson to reconnoitre. We rode all over the Point and Old Town. Every thing was tranquil. We were satisfied that no attack was meditated that night. We arrived at Charles-street—it was in commotion. A crowd was collected before Mallet's Dancing Hall. We understood from one person that Mr. Wagner's house had been attacked, and the assailants fired on, but no mischief done;—and from another, that Mr. Bigelow had been seized and beaten, and borne into the building before which the throng was then assembled. The mob must have been concealed in the lanes and alleys adjacent to Mr. Wagner's, and emerged thence not many minutes subsequent to our departure. A man, who I understood to be Doctor Gale, was elevated above the crowd beside a large tree near the Dancing Hall, and addressing them. "That ball," he vociferated, "was aimed at me—the Tories ought to be hang'd upon this tree;"—and afterwards calling out—"Follow me." Many shouted and followed him. Mr. Dorsey and myself now found our return impracticable. Had we escaped the fury of the mob, we should have been shot down by the guard who were ordered to prevent friend or foe from passing the threshold after the attack commenced. We hastened to Judge Scott's, and were told he was already on the spot. We put up our horses, and returned to Charles-street. I heard a firing from the house. I saw detachments bearing away the wounded. I was told that Mr. Williams, a stone-cutter, had been killed. I then went to Mr. William Gwynn's, who accompanied me back to Charles-street. On hearing that Gen. Stricker would call the military into action provided two magistrates would sign a requisition, and that but one had been obtained, Mr. Gwynn, Mr. Hoffman, (an older brother of two gentlemen who were in the house) and myself, hurried in search of a second. Mr. Griffith was the only magistrate we found at home. The necessity for his aid was emphatically represented. He replied, address-

ing, up from a second story window, that we ought to procure a democrat; that he, being a federalist, seemed singled out by Gen. Stricker to brave the fury of the mob. He was told that Gen. Stricker knew nothing of our application. Other remarks ensued, at the close of which Mr. Hoffman exclaimed, "Then Mr. Griffith refuse to act." Mr. Griffith shut the window, and we retired; but learnt a moment afterwards, that a second magistrate had been procured by other persons, and that measures were taking to disperse the mob.

Gen. Stricker resides in the same street, on the same side, and not far from the house of Mr. Wagner. A crowd was collected on the General's steps, and many who made part of it, seemed desirous to stimulate him to some efficient interference. Mr. George H. Stuart seemed particularly active. A gentleman went up to Gen. Stricker soon after the first fatal fire, and said, "I am deputed by Gen. Lee to beg that you will assemble the militia, for there are one hundred men in that house who are determined to sell their lives as dearly as they can." To this, or to some similar applicant, the general remarked that the men in the house were men of reflection, but those who assailed it were not; and that men of reflection ought to know better than to sacrifice persons who were not conscious of what they were committing.

The troop, after they had convened, remained a considerable time inactive at the intersection of Charles and Market-Streets. While I was standing at the corner, a person came up, and exclaimed, "They have killed one man belonging to the house—they stabbed him seven times—he died ejaculating, 'God have mercy on me!'" and was hurried away and thrown into the dock." Mr. Gwynn observed to me, "perhaps that may be one of our dearest friends." The person referred to, although no such incident could have taken place, was probably Mr. Hoffman. A horseman presently appeared—"They are murdering men down there," said he. I understood that the speaker was Major Barney, who shortly afterwards headed his troop, and delivered orders, which he repeated once or twice—they were nearly as follows: "You are not to draw your swords until ordered—you are not to resent opprobrious language—You are not to draw your swords until positively attacked. If once attacked, you are then to draw your swords; and your swords once drawn, use them like men." The troop then moved towards the house in Charles-Street.

After Major Barney's departure, some persons came up to where we stood—"we have got one of 'em," exclaimed a member of the party—"Who is it?"—"Hoffman!" was the reply—"Where is he?"—"In the Watch House."—"What do you mean to do with him?"—"Keep him till we call for, and hang him dead."

Mr. Gwynn and myself went to the watch house where Mr. Hoffman lay. We saw him wounded and covered with blood. He expressed astonishment at his miraculous escape. He said, there was one person who acted like a man and a christian.—Something was said of Mr. Hoffman's removal—a reply was given that he must be retained till 4 o'clock, but the moment the clock struck, he should be delivered to his friends.

The party in the house, whenever I had opportunities to observe, and I was present at the firing in both instances, acted with exemplary forbearance and moderation. Previous to the attack, the most scrupulous decorum as to avoiding all parade of arms was repeatedly enjoined, and a positive determination to act only on the defensive, explicitly understood.

I started for Ellicott's mills, between one and two o'clock on Tuesday noon, after seeing my friends borne to prison, and vainly attempted to procure a party to ride to Baltimore and protect them. Some troops from a distance did assemble after midnight, by means of Dr. Allen Thomas, but news had then arrived, through Mr. Ephraim Gaither, who escaped in the confusion, and supposed himself almost the sole survivor, that the jail had been already forced and our friends murdered.

JOHN HOWARD PAYNE.

Annapolis, Nov. 27th, 1814.

INTERROGATORIES

Put by Mr. Donaldson, one of the Committee, to John H. Payne.

Inter. 1st. When you agreed to join Alexander C. Hanson in the defence of the house in Charles-street, in the city of Baltimore, did you or not understand from him that many others had agreed to join him for that purpose? If such was your understanding, state when you so agreed to act, and the names of those who you were informed were to act in conjunction with him for the purpose aforesaid.

Answer to first Interrogatory.

My promise to join Mr. Hanson was unsolicited; I had no application from him, and I knew of no plan on his part at that time. I arrived at Mr. Hanson's immediately subsequent to the destruction of the office in Gay-street. The only persons who I understood had actually engaged to take part in the defence of the house, were Gen. Lee, Gen. Lingan, Mr. Sprigg, Dr. Warfield, Mr. McClelland, Mr. Crabb, Mr. Kilgour, Mr. Heath, and either one or more of the Mr. Gaither's.

Inter. 2d. Did you at any time before your arrival in Baltimore understand from Mr. Hanson, or any other of the persons who had engaged for said purpose, that applications written or verbal had been made to others, and to whom to join in the same design?

Answer to second Interrogatory.

I recollect to have heard a letter read from Col. Lynn and Mr. Tangey, at George-Town, when we were on our way to Baltimore, and I remember particularly that Mr. Hanson laughed heartily at those passages of Col. Lynn's letter, in which mention was made of lathing hatchets, but know of no application, either written or verbal; and that I understood from Mr. Hanson that all who co-operated in his plan were volunteers.

Inter. 3d. Were there any arrangements made as to the mode of conducting the said defence?—If there were; were they written or verbal? and what were they?

Answer to third Interrogatory.

The following plan was suggested by me, and the paper written by me and placed in the second story.

" COPY OF ORDERS.

As the mob will always be on the alert, a correspondent activity is expected from those who have united to resist its depredations. A slate, with the names of all the defenders of the house, will be placed in the front room, second story, and whoever wishes to leave the house, must rub out his name, and replace it when he returns; but no person is to consider himself at liberty to depart, if there are fewer than ten names on the slate.

The gentlemen who pass to and fro during the day, are expected to bring in all the information they can obtain. At six every morning, the roll will be called, and no person will be permitted to absent himself after that hour."

There was a paper written by Gen. Lee, explaining the particular measures to be taken for the defence of the different rooms, and naming those who were to command in the different rooms, and the number of persons necessary to be placed under their command.

Inter. 4th. State particularly all that was transacted to your knowledge in said house, by the party armed for its defence, on the day preceding the assault. Did you or not observe any of the said party point their guns in the course of the said day from the windows of the house, with a view to try how near to the side pavement they could bring their guns to bear? Did you observe that any arms or ammunition were in the course of that day taken publicly into said house, or upon any other day?

Answer to fourth Interrogatory.

In the course of the day preceding the attack, some of the party were employed in making cartridges, and in cutting stugs for the guns. I did not observe any of the party in the course of the day point their guns from the windows of the house. The necessity of avoiding any display of arms was uniformly enforced, I saw no arms or ammunition taken publicly into the

house. When Mr. McClellan volunteered to procure the arms when at Rockville, he was particularly requested to box them up in such a manner as to avoid any suspicion of what they contained. I understood that he sent a small keg of powder to the house marked "Crackers," for the sake of concealment.

Inter. 5th. State the names of all the persons, who, to your knowledge, had been in the said house, in Charles-street, from the time of your arrival in Baltimore to the catastrophe, with a knowledge of the plan, and with an intent to aid in it.

Answer to fifth Interrogatory.

Mr. Richards, Mr. Horatio Bigelow, Mr. John E. Hall, John Thompson, Ephraim Gaither, George Winchester. I cannot name the others at the present time, but I believe there were others.

Inter. 6th. When the persons in the house in Charles-street had surrendered and were taken to jail, did you observe whether or not Gen. Stricker, Mr. Johnson, Mr. Montgomery, and other gentlemen of the city, did not accompany them on their way, walking by their side? Was it not your impression that they so accompanied them, with a view to their protection from the populace?

Answer to sixth Interrogatory.

I saw them pass rapidly by the house where I stood. I did not recognise any of the persons named in the sixth interrogatory. It was my impression, that the object was to make a disgraceful exhibition of the party; the defenders of the house marched in hollow square, the military flanking the square, and the mob surrounding the square.

DEPOSITION
OF
WILLIAM GWYNN.

WILLIAM GWYNN, being first duly sworn—

I WAS present in Gay-street, in the city of Baltimore, on the night of the 22d of June last while a number of people were employed in destroying the Federal Republican Office, and its contents; the attack on the Office had commenced, and the printing materials, books and papers, were thrown out of the house, and scattered or destroyed, before my arrival. There were between three and four hundred persons in the street near the Office; not more than about thirty were constantly employed in destroying the property, but a much greater number gave occasional assistance, by pulling ropes when fastened to the building. The work of destruction was performed with great regularity and but little noise. I looked attentively at a number of the persons who assisted, but did not know any of them, nor any person present who approved of and encouraged their proceedings, except a French doctor named Lewis. There appeared to be both foreigners and natives engaged, and many of them, from their dress, appeared to be of the middle class of society.— Judge Scott came there while I was present, and called several persons to assist him in preserving the peace. I also saw the Mayor of the city there, and was informed that he, as well as Judge Scott attempted to persuade the assailants to desist. I did not see any other civil magistrate there, nor did I witness any exertions made to protect the property from destruction, or to arrest any of the rioters. I never heard that there was any demand for the interposition of the military. I had not sufficient knowledge of the property destroyed to give any accurate statement of its value, nor do I know exactly how long the rioters were employed in destroying it, as I left the place before 12 o'clock, and I left them still busy in demolishing the house. I was informed, during the evening, a part of the rioters were in search of Jacob Wagner for the purpose of insulting and abusing him. I was also informed that same night by Mr. John McKim, Jaur. that he had, in the forenoon of that day, enquired of the Mayor whether he knew that there was an expectation that the Federal Republican Office would be attacked, and the Mayor replied he had heard of such a report, and although he did not

expect such an attack would be made, if it was attempted, proper means should be used to defeat it. Mr. McKim also told me, he had been informed, that a plan had been arranged in a public garden near Fell's Point, the preceding afternoon, to attack and destroy the Office of the Federal Republican, and that an agreement in writing had been made and signed by nearly three hundred persons, engaging to assist and protect each other in the execution of their plan. The same information was repeated to me by Mr. McKim the next morning, and I think at the same time he stated, that it was after he had conversed with the Mayor on the subject of the intended attack, he had walked in company with Mr. James Wilson to Fell's Point, where they were informed of the plan and agreement above mentioned; that he and Mr. Wilson had called at the Mayor's office in the afternoon to give him that information, but had not seen him. I was afterwards called on by the Mayor, and at his request related to him the information I had received from Mr. McKim; he declared he had no recollection of any conversation with Mr. McKim on that subject; that although he had serious apprehensions on Saturday, of some disturbance, on account of the remarks in the paper of that day, his fears were removed on seeing that the paper issued on Monday contained nothing that would excite irritation. From conversation with some of the owners, and general report, I know that several vessels in the harbour of Baltimore were dismantled by the populace; the cause alleged, was to prevent them from carrying provisions to the British. Of any application to, or interposition of the Mayor, the State officers, or of the officers of the United States, I have no distinct recollection.

I also know, partly from my own observation, and in part from the information of the Mayor and others, who witnessed the transactions, that on the evening of the day next after that on which the office of the Federal Republican was destroyed, a riotous mob assembled at the house of a man named Hutchin's, and demanded that he should be delivered up to them; that the Mayor was present, and with several other citizens used their endeavours to persuade the people to retire; that the mob insisted on having the house searched, and appointed the Mayor, Dr. Mitchell, Col. McDonald, and two or three others, to search it, who did accordingly search even the room in which the wife and daughter of Hutchin's both lay sick; and after the search, they assured the mob that Hutchin's was not in the house, and with that assurance, and some persuasion, prevailed on the mob to retire. That on the same evening, another party of rioters attacked the house of a man named Charles Smith, and threatened to tar and feather him, all part as the cause, that he had said his hopes "that the soldiers of the army would be paid with the bones of these troops who should march from the

United States to attack Canada;" but finding that Smith had made his escape, the mob had departed without doing any material injury. It may be proper to mention here, that Smith afterwards returned to his home, but a mob again assembled at his house to search for him; he narrowly escaped, and has been compelled to quit Baltimore.

It was also a fact, publicly known, that a house on Federal Hill was destroyed by the mob a few nights after the destruction of the office of the Federal Republican; the cause of its destruction, or to whom it belonged, I do not now recollect.

I was informed by the Mayor, that there was an intention manifested by some persons to destroy the African Meeting House, which he had prevented by procuring a troop of horse to be ordered out. I do not know who were the persons concerned in that design, but recollect that the Mayor, in conversation with me, stated that he had been called on by some of the troop ordered out, to ascertain the object or cause for which they were required, before they would assemble; and that he was satisfied, if it had appeared to them to be intended to protect federalism or federalists, they would not have consented to aid the civil authority: indeed, the Mayor in repeated conversations, assured me of his conviction, that the militia of Baltimore were not to be depended on to aid the civil authority in suppressing any riotous attack on the persons or property of Federalists, when made from motives of political animosity; and that it was from that conviction, and a belief, that persuasion would be more effectual than force in dispersing mobs, that he had preferred that gentle method to calling on the militia.

I think it was during the same week in which the office alluded to was destroyed, that a mob assembled near the house of a man named Prior, in Fish-street; the only causes publicly alleged for attacking Prior was his being an Englishman, and having the words "from London" on his sign; it was, however, believed, that the private animosity of some of his neighbours had induced them to excite the mob to attack him. Prior, (as he informed me) was surrounded by the mob, but by presenting a gun at those near him, he caused them to retreat, creating a confusion which favoured his escape. I did not hear that there was any injury done to Prior, but from subsequent threats he was, as he stated, compelled to quit his residence.

On the evening of Sunday the 20th of June, I was first informed by Mr. John H. Payne, that Alexander C. Hanson, Esq. had come to Baltimore, with several of his friends, who were then in the house in Charles-street, in which Mr. Wagner had resided; that it was Mr. Hanson's intention to issue the Federal Republican from that house the next morning, and circulate it among the subscribers throughout the city; that, in consequence of the destruction of his office and press in Gay-street, by the

mob, he had come prepared to defend himself against any similar attempt to injure him, or to prevent the circulation of his news-paper; that his friends had come with him, determined to assist in defending him, as they considered the attack on the Federal Republican Office in Gay-street as a violation of the freedom of the press, which they considered it their duty to assist in re-establishing. It is already generally known, that the paper was circulated the next day through the city, having on the first page, under the title, the number of the house and the name of the street from which it was issued.

I went to the house in Charles-street about four o'clock on the afternoon of Monday, the 27th of June, to see Mr. Hanson; I was introduced by him to Gen. Lingan, and several other gentlemen. I had but little conversation with Mr. Hanson, none on the subject of his intentions in coming to Baltimore: I did not observe any weapons, or notice any preparations for defence. I remained in the house about half an hour, and having no expectation that any disturbance would take place, I went early to bed. About ten o'clock I was awoke, by a knocking at the door; it was Mr. Payne, who informed me that the house in Charles-street had been attacked by a mob, who had broke all the front windows, and attempted to enter the house; that the gentlemen in the house had several times warned them to desist, had fired over their heads to alarm them, and finding that the mob still persisted in attacking the house, those within had fired among them, had wounded several, and that a man named Williams, was either killed or mortally wounded. Mr. Payne expressed great anxiety to get into the house with Mr. Hanson and his friends; and, at his request, I dressed, and walked with him to Charles-street. When we entered that street, we observed a number of people before General Stricker's door, and almost a continued crowd from thence down to the house occupied by Mr. Hanson. The persons in front of that house, and near it were very noisy; some of them were throwing stones at the house, and others abusing those within. Considering it probable, from the great provocation given by those without, that the persons in the house would fire on them, I dissuaded Mr. Payne from attempting to go in. We then returned up Charles-street, and went into Gen. Stricker's house. I was requested by Mr. R. Magruder to examine an order which he had prepared to be signed by two justices, requiring Gen. Stricker to order out a sufficient military force to preserve the peace; while I was reading it, Gen. Stricker requested me to examine it carefully, that he wished it to be correct, as he had been blamed on a former occasion for ordering out the militia without a requisition from proper authority. I compared the requisition with the Act of Assembly, suggested a small alteration in the name, which I then informed the General, that, in my opinion the

order was correct. Mr. Dougherty, a Justice of the Peace, was present, and immediately signed it. The signature of another Justice was necessary; some gentlemen, at the request of General Stricker, had went out for the purpose of bringing one, as several were known to be in the street near his house. Major Barney, who had been notified by General Stricker, to be ready with as many horsemen as could be conveniently procured, as I was there informed, came into the room; General Stricker showed me the order intended for Major Barney, which was signed, and which the General said, he only waited for the signature of another Justice to the requisition, to deliver to him. About this time Judge Scott came into the room, and being informed that Major Barney was to command the military force about to be ordered out, he addressed him, saying, "Major Barney, as Chief Justice, (I think he said of the Criminal Court, or Court of Oyer and Terminer of Baltimore County,) I appoint you, and those that will be under your command, a *corps civilitaire*, and clothe (or vest) you with the civil authority to preserve the peace, and to do whatever may be necessary to suppress the riot that now prevails." This, if not the words, was the substance of Judge Scott's address. I then remarked to Major Barney, that being clothed with both civil and military authority, he would certainly be able to disperse the rioters.

General Stricker having several times expressed great anxiety that another justice might be procured to sign the requisition, I went out in company with Mr. John Hoffman and Mr. Payne to seek for one. We went first to the house of John Aisquith, Esq. and were informed he was not at home; we then went to the residence of Thomas W. Griffith, Esq. we were told he was in bed; but at our request he came to the window; we informed him of the object of our visit, and urged him to go with us to General Stricker's; he stated there were several other justices in Charles-street, or near it, to whom he thought we ought to apply, and as he was undressed and fatigued, he hoped we would not urge him to go out. We stated to him that this was an extraordinary occasion; that delay was attended with great danger; that much delay had been caused already in waiting for a justice; that none of those gentlemen he had named could be found; and again urged him to go with us. He then stated to us, that he feared it was a plan intended to injure him; that he was already obnoxious on account of his political opinions, and should he sign the requisition it would make him more so; finally, on being pressed by Mr. Hoffman to give a positive answer, he refused to go with us. From Mr. Griffith's we went to the house of John F. Harris, Esq. and were informed he had just gone to Gen. Stricker's, and on our return to the room where we had the requisition signed, the *corps civilitaire* The *troup* of horse ordered out by Major Barney had assembled at

the intersection of Market and Charles streets, where they remained until after 2 o'clock on Tuesday morning; the cause or causes for the delay in marching them to the scene of the riot, I did not hear explained. In the mean time, several shots were fired at and from the house; by one of the latter a man named Gale was killed. Before the horse left the place where they assembled, Major Barney addressed them with the following caution: "Remember, you are not to draw your swords unless I order you; you are not to attack any person unless you are attacked, or I order you; but when you do draw your swords, use them like men." This caution he repeated several times; the troop then proceeded slowly down Charles-street, the Major being accompanied, (as I was informed) by David Fulton, Esq. a justice of the peace. A few minutes after the horse had marched, I was informed that Mr. Samuel Hoffman, in attempting to come out of the house which the mob were attacking, had been much abused and injured, and that a party of the mob had conveyed him to the watch house. I went immediately in company with some others to assist in removing him; the captain of the watch told us he had promised the party who brought Mr. Hoffman there, that he would detain him till 4 o'clock, at which time they said they would come for him. He requested we would obtain an order for his release from Judge Scott, without which he was unwilling to permit his removal. Fearing the consequences to Mr. Hoffman would be fatal if the mob should again get him into their possession, we applied to the Judge who readily granted an order for his removal, and we accordingly removed him to the house of his brother. The captain of the watch afterwards informed me, that about fifty persons came to the watch house a few minutes after the removal to demand Mr. Hoffman, and appeared to be much dissatisfied that they could not obtain him. I returned to Charles-street about 4 o'clock; the crowd in front of the house had greatly decreased; some of the horsemen who marched down under the command of Major Barney had dismounted, and were guarding the front door; a cannon was placed in an alley opposite to the house, and pointed or aimed at the upper story. For a short time there was but little disturbance. As day-light approached, the mob increased in number and turbulence, and at 6 o'clock the street was crowded with a tumultuous and infuriated assemblage, who threatened with vengeance the party in the house; some urged the firing of the cannon at them; a match was brought for that purpose, and preparations made several times to fire it; at one time a lane or opening was made between the cannon and the house, and every thing appeared in readiness to fire it, which was loudly urged by some of the mob, when John Montgomery, Esq. walking in the open space directly between the cannon and the house, indicated that they would not fire it, declaring

If they did they must fire at him; they were prevailed on to desist. A taylor named Gull, appeared to have the controul of the cannon and of the mob near it; and Thomas Wilson, the owner of the Sun, with a pistol in each hand, and a sword in the scabbard under his arm, was very active and vociferous, urging the Mob to fire the cannon, and declaring they must have blood for blood. About this time the Mayor and General Stricker arrived; and the Mob being assured that the persons in the house should be taken into custody of the civil authority, delivered up the cannon, which was taken away. General Stricker and the Mayor entered the house, and having ascertained that the persons who had defended it would submit themselves to the custody and protection of the civil authority, the General returned to the street, and appeared very anxious to procure an armed guard to protect them, as the mob were still very turbulent; he called aloud for every person belonging to the third brigade, within the reach of his voice, to arm and come to aid him in supporting the civil authority; very few obeyed; a small guard of horse and foot, about fifty in number, with difficulty arranged themselves in front of the house; and under their escort, surrounded by a large and tumultuous crowd, the defenders of the house were conducted to the county Gaol. I saw them passing along Market-street, but did not accompany them. I returned shortly after to the house in Charles-street, and found there a number of the mob, men, women, and boys, employed in destroying and stealing the moveables, and injuring the house. I endeavoured to prevail on them to desist; and with the aid of a few well disposed and active men, I think I should have succeeded, but after an exertion of my endeavours for more than two hours, I was compelled to relinquish all hopes of saving any part of the property, and left the house. Being informed on my return to my office, that it had been determined not to bail the persons who had been thus conducted to Gaol, I called on Mr. Merryman, the Sheriff, and urged him to use every possible precaution in securing the doors of the Gaol, I suggested to him the necessity of taking the keys into his own possession, lest fear or any other motive should induce the Gaoler to give them up if the Gaol was attacked, and that the Sheriff in that event would be severely censured—he said he had full confidence in his Gaoler, and was satisfied he would act correctly. I then proposed to him to have the persons who had been sent to prison that morning, placed in the dungeons or cells under the Gaol; he agreed with me, that by placing them there, they would be much more secure in case of an attack, and expressed himself willing, if they wished it, to place them there. I again pressed him to do so, but he quitted me without saying in what way he would act. He afterwards learned that a mob of fifty persons had been ordered out to defend the Gaol that night from any attack.

of the mob, and seeing an Artillery Company assemble in the afternoon near my office, I felt satisfied that the persons in the Gaol would be safe. It was not 'till after sun-set I knew that the military which had assembled were dismissed, and a few minutes after I was informed that the Gaol doors were broke open by the mob. I hastened out to the place, and arrived in front of the Prison, just as an old man was brought out and surrounded by about fifty of the mob armed with clubs; from his appearance I believed him to be General Langan; as I approached, I heard him address the mob in a tone of earnest supplication; I pressed forward into the crowd who surrounded him, and who were beating him with their clubs with most savage and unfeeling cruelty. I entreated them not to kill an old man, the father of a number of helpless children; one who had fought in defence of the freedom of our country. Those of the mob who were not near enough to reach him with their clubs, called out fiercely to have no mercy on him, to beat him to death; one of the assailants who was near me, said, "he is one of those damn'd rascals who came from a distance to murder our citizens; no matter what he was formerly, he is a damn'd tory now, he ought to be put to death." I perceived that any further exertions would not only be unavailing, but would also subject me to imminent danger, and the scene being too distressing, too horrible to witness without the power to resist the murderers, I returned to the city. The dreadful transactions of that night, and the riotous disposition manifested by the mob for several days after, spread great alarm and terror among the peaceably disposed citizens; threats of violence to the persons and property of individuals were circulated by anonymous letters, and otherwise. The Court of Oyer and Terminer which was then in session, met on the morning of Wednesday the 29th of July, and without doing any business adjourned till the following Monday. In the afternoon of the 29th, the Mayor invited the citizens to meet at the Council Chamber—I went to the Mayor's Office about four o'clock, to inform him, that one of the leaders of the mob had been heard to threaten an attack on the Type Foundry near the city. I met the Mayor at the bottom of the stairs leading to the Council Chamber; I spoke to him of the distressing scenes of the preceding night; he replied with much apparent feeling—"If it was distressing to you what must it have been to me, who had pledged my honour to those men to protect them at the risk of my life." He then related to me the exertions he had made the preceding evening to prevent the mob from breaking into the gaol; he said, he was now fatally convinced, that the opinion which he had formerly entertained, that he could by gentle means prevail on a mob to desist from violence at the moment of danger or those gentlemen on whom he had

plied to assist him, as he believed them to have influence with the mob, from being known to profess the same political sentiments; he said, it was his belief, if a number of those gentlemen who were known to have influence had united their exertions with his the preceding evening, they could have prevented the mob from entering the gaol, and the gentlemen in prison would have enjoyed the protection he had promised; that he had that morning, at a meeting of several of those persons who had promised to aid him in his exertions to support the laws, and suppress riots, reminded them of their promises, and of their desertion at a time when their assistance was more important to him than any occasion that could again occur; when they might have enabled him to prevent a most wanton and disgraceful outrage on the persons of a number of men, whom he was bound by his duty and a sacred promise to protect; that he had declared to them he would no longer hold the office of Mayor, since those persons on whom he thought he had most reason to rely for assistance had deserted him—that they had urged him not to resign his office at that time, assuring him they would not on any other occasion desert him. I mentioned to the Mayor, that I had no doubt a number of persons, who would have assisted in defending the gaol, were prevented from going there by a report which had been circulated in the city late in the afternoon, that there was no danger apprehended of an attack on the gaol that night; that a number of the people had left the ground near the prison, and those who remained were quiet; he expressed much surprise at this, and asked me who had reported it? At this moment the Attorney-General was passing us to go up stairs; I named him as one: the Mayor turned to him, and said, “My God, Sir, how could you circulate such a report, when it must have been obvious to any person who was near the gaol, and heard the discourse and threats of the people, that there was the greatest danger? Mr. Montgomery answered, that he did not report it from his own observation, but from the information of General Stricker, whom he had met coming from the gaol. We were now requested to walk up to the Council Chamber, where a number of citizens were assembled; the Mayor informed them, that the object of the meeting was to devise some plan for protecting the persons and property of the citizens from violence; that threats had been made against several whom he named, and that the aid of the well-disposed and orderly citizens would be necessary to protect them. The Attorney-General stated to the meeting, that it was evident the civil authority and the laws were entirely prostrated, and could not afford any protection to the well-disposed citizens against the violent attacks of those who refused to obey the civil magistrates; and that it was now necessary to devise some other means of protection. It was then proposed, that thirty citizens

should be selected, nightly, from each ward of the city, and from each of the precincts, and form a guard or *posse comitatus*, to be under the direction of the Mayor and the Justices of the Peace, and to attend promptly to protect the person or property of any citizen who might be threatened or attacked. This plan was opposed by Major Stewart and Mr. Lemuel Taylor, who alleged, that there was no necessity for any guard to protect the citizens, as there was no reason to apprehend any attack; that the disturbances in the city would cease, or had ceased, as the cause which had produced them was removed, and that they considered the reports of threatened attacks not worthy of notice, as if even such threats were made, there was no danger of their being put in execution. The plan was not adopted; and it was agreed that the citizens then present should meet at eight o'clock in the evening, at the Mayor's dwelling, and that each person should notify as many of his fellow-citizens as he could with convenience to attend and assist in preserving the peace, and devising means of future protection. There was a large meeting in the evening, at which a committee was appointed to consider and report to the Mayor what means should be used to quiet the apprehensions of the people, and restore peace and tranquillity to the city; that committee afterwards advised the Mayor to call a meeting of the City Council.

After the meeting at the Council Chamber above-mentioned had adjourned, General Stricker, who was there, said, he wished to speak with me; he stated, that he understood he was blamed for having dismissed the militia who had been ordered out to protect the gaol. I said, I had heard him blamed, because there was not a guard at the gaol, as the public had been led to expect. It is on that account, said he, I wish to explain to you the facts that occurred, and my motives for acting as I did. He then proceeded to state, that he had ordered out the fifth regiment of Infantry, which usually paraded more than a thousand men, two companies of artillery, and two troops of cavalry, which he thought would have been sufficient to protect the prison against any force that might attack it; that at the time appointed for their parading, only about thirty of the Infantry obeyed the order, and not a man of either troop of horse—that the Infantry who assembled were all or chiefly Federalists, a circumstance which he conceived would tend to irritate the mob, who were of different political sentiments—that their number was too few to protect the prison, if an attack was seriously intended, and in case of such an attack, it would be dooming to certain destruction a few deserving citizens without contributing to the safety of those in prison—that the Mayor had conferred with him in opinion as to the impropriety of marching them out for the reason above-mentioned; and believ-

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ing from the observations he had made, when at the gaol in the afternoon, that there was no danger of an attack that night, he had thought it best to dismiss them. In conversation with General Stricker some days after, I mentioned to him that it was stated as a reason why some of the militia had not obeyed when ordered out to defend the gaol, that they were required not to use ball—and asked him if he had given any such orders. He said, he had given a written order to Col. Sterett, that after he had delivered it to him, he expressed a wish that ball might not be used.

As connected with the enquiry relative to the conduct of the Military Officers, it is proper I should mention a conversation with Major Barney as to the manner in which his troop were marched down to the house in Charles-street in the morning of the 28th of July, I was disapproving of the caution he had so often repeated, and of his marching slowly, as not calculated to disperse a Mob; he asked what would have been my plan? I told him I would have ordered the men to draw their swords and charge down the street at full gallop; that the Rioters would have fled at their approach, and they would have been dispersed without injury. I grant, said he, we should have drove them out of the street, but they would have retreated into the Cross-streets and Alleys, and after we had passed, as the horse could not immediately turn like men on foot, they would have rushed into the street behind us, and *brick-batted* us—It is due to Major Barney to state here, as I did to him, that I did not mean to charge him with intentional misconduct in his manner of cautioning and marching his troop; the readiness and alacrity with which he obeyed every call to support the laws and the civil authority, during the Riots, was too well known to doubt the propriety of his intentions.

The effect which the riotous proceedings had on the temper and feelings of the Citizens of Baltimore, and the manner in which it appeared to affect their judgments and conduct to each other, was much to be regretted. Actions, by many, appeared to be considered as praise-worthy or vicious only as they were performed by Democrats or Federalists; and this dangerous spirit was rapidly changing party opposition into personal animosity; some declarations and conversations which I witnessed tending to elucidate this subject it may be proper to relate: In conversation with Mr. Levi Hollingsworth, on the 30th of July, he spoke with great asperity of the Federal Republican Newspaper, because of its opposition to the Government—he said “the Editors of that paper, and all their supporters, were traitors; that the men who defended the house in Charles-street had been guilty of a violent outrage in first provoking the people to attack them, and then firing on them; that the Civil Authority ought not to have interfered, but the people ought to have used par-

mitted to put them to death." I asked him whether as a good citizen he thought it proper, even if those gentlemen who had defended the house had been guilty of a crime, that a Mob should put them to death in the street, and not give them a trial agreeably to law in a Court of Justice. What! said he, pointing toward the Court-house, take them there to be tried before such a Court, where their trials would be put off for weeks or months, perhaps at last to get clear by some quirk? No; I am for having immediate justice on them; the people ought to have put them to death on the spot. This conversation was in the street near the old court-house; it was very loud, and several persons were near us and passing. About the same time, or within a few days after, I had a similar conversation with General Tobias E. Stansbury, in the presence of Elias Glenn and J. T. H. Worthington, Esqs. which he afterwards, on being reminded of it, repeated in presence of Colonel Mosher, Mr. William Jessop, and Mr. R. C. Long; on the latter occasion, in answer to my enquiry as to his former declarations, he replied, "I did say, and I say again, that every Rascal in the house in Charles-street ought to have been put to death, every Scoundrel of them; they made that house their Fort, and it ought to have been made their Grave; and I did say, and I say again, that if I had been there I would have fired the Cannon at the house." He admitted that he was near the Gaol in the evening when it was broke open; that the Sheriff had called on him to assist in defending it, and that he told him he would not assist in defending Tories; that they had brought the attack on themselves by their conduct, and they might take the consequences. He also admitted, that he had told the Mayor at the Gaol, when he was endeavoring to persuade the Mob that the men in prison would be tried and punished by law for their conduct, that it would be useless to attempt to punish them by law, as they would remove their trials into another County, perhaps to Montgomery, where they would certainly be acquitted.

Of the attack, or the intention to attack, the Post Office, or the defence of it, I have little to say, that I conceive to be material. I had several conversations with the Mayor on the subject about the time it took place—He informed me that it was with considerable difficulty they could prevail on some of the Military, who were ordered there on the first night it was threatened, to assist in defending it from the Mob; that one of the Officers had publicly charged him with deceiving them, by ordering them there to protect the Post Office, when in fact it was to defend the Federal Republic—that he was under the necessity (I think he said the disagreeable necessity) of declaring to them publicly, that they were not brought there to defend the Federal Republic, but the Post Office, one of our most sacred institutions, and that he would himself at one of our fore-

most to draw his sword against the Federal Republican, or to oppose its establishment, if it was opposed to the government of our Country. I understood this address to have been made by Mr. Johnson on account of the particular exigency; I have often before and since heard him declare his decided disapprobation of the destruction of the Office, and of the attempts to prevent the circulation of the Paper. He also informed me, that on the same night he had consulted with General Stricker and Colonel Sterett, and their fears of the defection of the Militia were so great that they had agreed to apply to the Post Master, Mr. Burdall, to permit them to take the Federal Republican news-papers out of the Office that night, and have them sent back the next day to Washington; that he, I think, with General Stricker made the application, but the Post Master declaring it would be contrary to his duty and his oath to permit it, they had determined to leave them in the Office and defend it.

I was not present at the trial of any of the persons charged with the murder of General James M. Langan; but I had a conversation with Mr. Montgomery on that subject, after the trial and acquittal of one of them named Wright. I told him I had been informed Wright had been acquitted notwithstanding the clearest evidence of his guilt—He said he thought the evidence so strong, that if the Jury would not convict on such testimony it would be useless to try any more of them. Some days after, in court, I understood that another person indicted for the same offence was about to be tried; I expressed my surprize to Mr. Montgomery that he would attempt to try any more of them in Baltimore County; that from his own impressions, as stated to me some days before, I was satisfied the state could not have a fair trial, on account of particular prejudices excited by the late disturbances, and urged him to remove the case to another County. He said there had been no instance of such a removal at the request of the Attorney for the state, and he did not wish to commence the practice. I represented to him, that this was an extraordinary occasion, such as rarely occurred, but such as must have been contemplated by the framers of that provision in the constitution, when an insurrection should take place, or any other public disturbance which interested the feelings of the great proportion of the people in a particular county, and rendered them incompetent to decide impartially on any fact immediately connected with the subject that interested them; that such was evidently the case now in Baltimore, and it was therefore necessary and proper that the right of removal should be exercised—he did not, however, appear to think the occasion justified his making an application for a removal.

I shall remark generally, to the committee, that in relating conversations which took place so long since, it is scarcely to be expected I should recollect the very words which were used;

in some instances I have endeavored to convey in few words the substance of a long conversation, but in every instance I have, to the best of my recollection and ability, expressed the impression made on my mind at the time the facts and conversations took place.

WILLIAM GWYNN.

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DEPOSITION
OF
RICHARD H. OWEN.

RICHARD OWEN, being first duly sworn, Saith.

IN answer to the first 14 Interrogatories, I have no knowledge but from hearsay. With respect to the 15th Interrogatory;

I was present in Charles-street on the night of the 27th July, and continued there, or in the neighbourhood, 'till about seven o'clock next morning. It was between the hours of ten and eleven at night when I went into the street; a large assemblage of people were in front and about the house occupied as the Federal Republican office; frequent assaults with brick-bats, &c. were made on the house, accompanied with threats of vengeance on those within—several guns were fired at and from the house.

While the Cavalry were assembling, the mob gradually withdrew from the front, and ceased their attack on it, but seized and jeopardized the lives of those who attempted to make their escape from it. When Major Barney arrived at the head of the troop, about thirty in number, it was about three o'clock in the morning; he told the people he came there by superior orders, to preserve the peace of the city; he pledged himself to guard the house, take every man in it into custody; said, you know that I am of the same political sentiments with yourselves; and requested them to refrain from violence. The mob not appearing to fear personal danger from the military, increased, and continued in considerable numbers.

A field-piece was brought and stationed in front of the house; frequent attempts made to fire it with a lighted match. Major Barney requested them to turn the muzzle the other way; but was not obeyed. Soon after the troop arrived, the Major went into the house, from thence to the Brigadier, and when he returned, he mixed familiarly with the mob. About day-light he addressed them—stating, that the men in the house would not surrender while they continued there, and asked if he dismounted his troop of horse and took possession of the house, and prevented the escape of any one from it, would they disperse; a few answered yes—he closed with saying, well, give me three cheers; which was done. Attempts were made during the night by Judge Scott, and other persons, to restrain the fury of the mob; but without success.

From the 16th to the 21st Interrogatory, both inclusive, I have nothing to say as to my positive knowledge.

To the 22d Interrogatory.--On the morning after the attack on the house in Charles-street, I was met by Colonel Sterett of the 5th Regiment, who informed me that the Regiment was ordered out, and commanded me (being Lieutenant of a company attached to his Regiment) to notify the members of my company to be in readiness to assemble at a moment's warning; he said no time was specified. I gave information of the order to as many as I could, appointing five o'clock for the meeting. I met the Colonel again between one and two o'clock, when he required me to order out the company immediately, with ball cartridge, for the protection of the Gaol, which he informed me were his orders; his commands were complied with as far as practicable, but from the shortness of time, the aversion some expressed to muster without ball cartridge, the refusal of others on such occasion, very few assembled.

The officers and privates when collected under arms in Gay-street, did not exceed forty; they remained there several hours, writing orders; at length marched off, under command of Colonel Sterett and Major Heath. On the way to the Gaol they were met by the Brigadier, and halted; after which the Regiment was countermarched into Gay-street. The Colonel said that it was the opinion of the Mayor, who was at the Gaol, that all was quiet there, and their services not being required, he thanked them for their attendance, and dismissed them with an injunction to assemble at the usual place of parade in case of alarm. I asked the Colonel what would be the signal of alarm to assemble? he answered he did not know. About, or soon after the Gaol was broken into, the bells were rung, but the military did not collect in any force.

In answer to the 23d Interrogatory.--A few days after the riot in Charles-street, it was generally rumoured in the city that the post-office would be pulled down that night, for the purpose of destroying the Federal Republican paper, which it was understood was published in George-Town, and was lodged in the office for subscribers.

Early at night, guards were stationed at the different avenues leading to the office, which prevented any person's having access to it without permission. One of the guards extended across the entrance of St. Paul's Lane into Market-street, where a number collected, some of whom attempted to push their way past the guard, but being resisted, and Colonel Blay's coming up and forming his cavalry opposite the lane, a man proposed to those about to withdraw, saying we will return to-morrow night; and swore, if the Federal Republican is in the office we will have it down at all events; they seemed to assent and withdrew.

The Mayor, and principal military officers, appeared to exert themselves for the protection of the office. At a late hour of the night, during some altercation between the guard under

command of Captain Keller (which extended across St. Paul's Lane and fronted Chatham-street) and some refractory individuals, about as many as the guard before them, the Mayor rode up and addressed them; requested them to have patience and wait a few days longer, when the committee appointed to investigate the recent riots would make a report, which he pledged himself would be entirely to their satisfaction; that as friends of the war, they could not be disposed to destroy the post-office, the revenue of which made an essential part of the means of carrying on the war; that he would himself draw his sword, and head his fellow-citizens, to oppose the introduction of the Federal Republican into Baltimore. A short time after, Colonel Bix with the cavalry came up, and cleared the front of the guard. For several succeeding nights the military were kept under arms; they turned out in greater force, and showed more resolution; the riotous in the same proportion were intimidated, and peace restored.

In the preceding narrative I make no reference to the alarm excited afterwards by the arrest and confinement of some of the rioters, and the military that were ordered out in consequence.

To the last Interrogatory.—I do not recollect any material facts that I have omitted, which came under my particular observation, and to such only have I made answer to this narrative.

RICHARD H. OWEN.

INTERROGATORIES

Put to Mr. Owen by Mr. Hamilton, one of the Committee.

1st. You will please to state the numbers of the mob at the post-office, and the numbers of the military or guards, and in what manner they were stationed at the time Mr. Johnson used the expressions mentioned in your deposition.

Answer. I have no distinct recollection of the number of the mob or military on that night; guards extended across St. Paul's Lane, facing Market-street, Chatham-street, and, I believe, opposite the alleys and front of the post-office; the number of the guard and rioters were nearly the same, about ten or twelve, when the Mayor used the language I have stated.

2d. Did you observe any thing like a mutinous disposition among the men on guard before the post-office?

Answer. On no occasion.

INTERROGATORIES

Put by Mr. Donaldson, one of the Committee, to Mr. Owen.

1st. Were you on guard at the post-office the second night? If yea, where were you posted? What number of men were under your command?

Answer. I was not on guard that night.

2d. What company was stationed as a guard at the place where you heard Mr. Johnson use the expressions you have stated? How were the company drawn up?

Answer. Captain Keller's company was drawn up across the street where I heard the Mayor use the expression I have stated respecting the Federal Republican.

3d. Did you hear any expressions used by any of the officers or privates of Captain Keller's company to Mr. Johnson, condemning him for defending the Federal Republican? State those expressions---and was not what Mr. Johnson said addressed to the company on duty?

Answer. This deponent heard no expression from any of the officers and privates addressed to the Mayor. I considered what Mr. Johnson said, addressed to the mob.

4th. Did you hear Mr. Johnson address the mob on that night in words to this amount: "You have reigned in Baltimore for some time, but I will put you down now, or lose my life in the attempt?"

Answer. I do not recollect hearing the above expressions from Mr. Johnson at that occasion.

5th. Did you see Captain Conn's company that night? Where were they stationed? Did you hear any communication between that company and Mr. Johnson?

Answer. I do not recollect any thing of Captain Conn's company on that night, nor any communication from the men on guard to the Mayor.

6th. Are you positive that the Mayor said "that he would draw his sword, and head his fellow-citizens to oppose the introduction of the Federal Republican into Baltimore?" And that he did not say that he would draw his sword to oppose all those who unconstitutionally or illegally opposed the war which had been declared by the constituted authorities, and if the Federal Republican did so, he would oppose the Federal Republican, or words to that effect?

I did not understand the Mayor's expressions as above stated, but I do more particularly as I have before stated.

DEPOSITION
OF
JOEL VICKERS.

JOEL VICKERS, being first duly sworn—

INTERROGATORIES put by the Committee to Mr. Vickers.

1st. Did you not call on Mr. Raborg, and inform him, that if he was anxious for the interest of Mr. Wagner, that you would advise him to press upon Mr. Wagner the propriety of forbearance in his paper—that war was declared, and the people were determined to support the government, and put down all opposition—that some recent publication had excited considerable irritation—that the people had resolved to suppress such a course of strictures, and were prevailed on to wait and see the tone which the paper in future would assume? How did you know such resolutions were taken, when, and by whom?

2d. Did this conversation appear to you to result from a knowledge on the part of Mr. Levering, of a deliberate plan to destroy the Federal Republican office, or to injure its editors, or from a knowledge of the general disposition and temper of the people of Baltimore?

3d. Do you know, or have you heard, that any combination had been formed either at the Apollo Gardens, or at Pamphelion's Hotel, at the Point, or at any other place, for any illegal purpose, connected either with the persons or the establishment of Hanson and Wagner, or any other persons?

4th. Have you heard either the Mayor, or any civil or military officer approve the conduct of the mob or excite them to action?

5th. Do you not reside in Baltimore between Town and point?

6th. State, whether according to your belief, (and the grounds thereof) the inhabitants of Fell's-Point had any knowledge of the attack on the house in Charles-street on the night of the 27th, and of what description of persons, according to information you have received, the mob attacking the house in Charles-street were composed?

7th. State whether or not at the time you understood the negotiation was carrying on between the party in the house in Charles-street, and the Mayor, Attorney-General, and General Stricker, there were not large parties of the inhabitants of Fell's-Point proceeding up to town, with the intention of taking a part in the disturbance? Did you hear any declarations from any of their intentions with respect to those who were in that house? If you did state them.

8th. Is it or not your belief, that, if the surrender of the per

cars in the said house had been delayed for another hour that they would have been in the utmost peril of their lives, from the great increase of the mob from the Point, and other parts of the city and precincts?

9th. How do you know there were no persons from Bell's-Point engaged in the riot on the night of the 27th?

10th. How do you know that the mob was partly composed of craftsmen?

11th. How do you know that the people were collecting on the ensuing morning at Bell's Point to support the populace?

12th. Do you not believe that a vigorous application of the military force would have dispersed the rioters, and have ensured the safety of the persons in the house?

13th. Mention the names of those who regretted that the gentlemen were carried to prison?

14th. When did you first go to the house in Charles-street?

ANSWERS

Of JOHN VICKERS to the foregoing interrogatories.

Answer to first Inter. Such a conversation was had not by me—some such conversation was had in my presence, by the Mr. Levering's and Mr. Raborg, who said, that he would use all his influence to prevent Mr. Wagner using such publications as appeared first after the declaration of war.

Answer to second Inter. It appeared to me that the conversation was friendly to Mr. Wagner, and with an intention to communicate to Mr. Wagner a knowledge of the minds of the people in that particular.

Answer to third Inter. I do not.

Answer to fourth Inter. He has always heard the civil and military officers, and particularly Gen. Stricker, declare their determination to support the civil authority, although they disapproved of the gentlemen in the house in Charles-street.

Answer to fifth Inter. I do.

Answer to sixth. I have reason to believe, and do think, that the people on the Point, (commonly called Bell's-Point) had no knowledge of the disturbance in Charles-street on the night of the 27th of July. The description of people engaged in that unfortunate affair, I believe to be of labourers, apprentice boys, and some craftsmen and sailors, from on board visiting vessels that lay in the harbour at the time, the latter, perhaps, more out of curiosity than any intention to do injury on either side.

Answer to seventh. In the morning, at the time as I understood when the negotiation was going on to conduct Hanson and his party to some place of safety, the people were collecting from different parts of the town, and in my opinion, to support the populace in their intentions, whatever they might have been.

Answer to eighth. I believe, that the surrender of the persons in the house in Charles-street, at the time they did surrender, was the means, and the only means, by which they could be saved.

Answer to ninth. On the next day, after the Charles-street mob, I heard several people say, that belong to the Point, that they knew nothing of the affair in Charles-street till it was over—and I saw no unusual collection of people on that night proceeding from Point towards Town, although I live on the Main-street, leading from Point to Town, and was the whole night at home.

Answer to tenth. Several men belonging to boats then in the harbor, in conversation in my hearing, said, they were at the mob in Charles-street, and some others, whom I took to be sailors, belonging to coasting vessels then in the port of Baltimore, but for what purpose I did not understand.

Answer to eleventh. I do not know that the people were collecting at the Point for that or any other purpose; but I saw many people, some from the Point, Old-Town, and other parts of the City, and they, in many instances, expressed themselves much displeased with the conduct of the editors of the Federal Republican, and regretted they and their supporters was conducted to jail, as they were afraid the law would not punish them for the murders they had committed.

Answer to twelfth. I do believe that the civil and military authority did all in their power to disperse the mob, but such was the prejudice of the people against Mr. Wagner and Hanson, that they would not second the constituted authorities in their protection. I farther believe, that the militia would not turn out in sufficient number to accomplish that end.

Answer to thirteenth. Some persons whom I saw on the day that Mr. Hanson and his party was conducted from Charles-street to jail, was of that description that were most likely to be engaged in the mob; and, on my telling them the impropriety of taking the law in their own hands, drew from them expressions extremely hostile to the party in the house; but their feelings well so expressed themselves, I do not recollect.

Answer to fourteenth. I was not at the house in Charles-street on that day, nor for some days before or after.

JOEL VICKERS.

DEPOSITION

OF

THOMAS C. JENKINS.

THOMAS C. JENKINS, being first duly sworn—

Answer to Interrogatory first.

THERE was a house pulled down in Gay-street on the twentieth of June, in which the Federal Republican was printed. 2d, 3d, 4th, 5th, 6th, and 7th, knows nothing.

8th. There was a collection of boys came to the house occupied by Jacob Wagner, in Charles-street, which is the next door to where I live, about one o'clock in the morning of the twenty-first of June. I was awakened by a thumping at the door; I got up, went to the window, and found they were at Wagner's door. I asked what they wanted: they said they wanted Wagner the tory printer. I asked what they wanted with him; they said they wanted to duck him, and then send him to Halifax. I told them he was not there, and that they must go away. They went off, and returned in about two hours with a drum, and asked for a candle, and said if they could not get a candle, they would break open the door—I told them the house belonged to a widow; they then gave three cheers and went off.

9th, 10th, 11th, 12th, 13th, and 14th, knows nothing.

15th. On the twenty-fifth July, a Mrs. Worrell came to my house, and wished to see the house next door, as she wanted to rent it; she was directed to Christian Raborg's for the key. In the afternoon of the same day, a stage drove to the door with a person who was said to be Mr. McClellan; he took three demijohns, and several other things, which appeared to be provisions, into the house; a short time after a cart came with a very heavy box in it, covered with a cloth, which was put in the house. The next day, Sunday twenty-sixth, there was a number of persons going in and out of the house; there appeared to be unusual care to keep the door locked when any person left or entered the house. I saw J. P. Heath and A. C. Hanson, who appeared to be very busy. In the afternoon saw six persons go in, they looked like travellers, and from the country. There was considerable noise during the Sunday night, of hammering and piling of wood in different places in the house. I concluded they were putting up a press. On Monday the twenty-seventh, there was a considerable number of persons going in and out of the house, the door being regularly locked on those who entered, and when they went out; I was from home the greater part of this day. In the evening I was sitting at my door; Major Bailey came

ly and stopped a few minutes; while the Major and myself was in conversation, a negro came out of Wagner's house with a pitchfork in one hand, and a cane in the other; I believe it was a black cane. The negro said there they stand, by two's, and by four's, but damn them, let them come, we are ready for them. The Major observed, do you hear what that damn'd negro says, and left me. I at the same time looked about and could not see more persons in the street than there usually were; a short time after this, there were several boys collected before the door—Mr. Heath came out and requested them to go away; they would not go for him. I then went to them and advised them to go home; they all went off to some distance out of my sight. It was now dark; a stage drove up, and there was immediately a lane cleared from the stage to the house, by men who came out with drawn swords; this circumstance drew the boys back, who cried out, there was the Tories collecting muskets to kill the Republicans, which words they frequently repeated. There was a number of muskets passed into the house, and other articles which appeared to be ammunition. At this moment, my wife was greatly alarmed; observed there was something dreadful going on; that Webb and Geiger had their shops shut up, and that she had seen Parson Bend's son going in the house with a musket and bayonet, and that she was told they were exercising at the windows with swords, muskets, and pistols, all the afternoon, and insisted on my coming in the house. I observed, they would not hurt me; she said Peter L. White told her, that Hanson said if the Mayor came there he would be the first person he would shoot, and she observed, if he would shoot the Mayor he would shoot you. The boys began, as soon as the stage drove off, to stone the windows; at which time, to pacify the fears of my wife, I went in and shut the door, and in a few minutes after the firing commenced from the windows on the second floor; the boys did not appear to be intimidated, but dared them to fire again, when there was about a dozen guns fired in quick succession. About this time, say about ten o'clock, I heard an old voice, calling himself the son of Washington, daring them to fire at him, and encouraging the boys to stone the house; this person proved to be a Doctor Gales. The firing continued with intervals until about one o'clock, at which time there appeared to be horses passing in the street; and shortly after there was a piece of artillery brought down Under's-alley. I saw Mr. Montgomery using his endeavors to prevent the cannon from being fired. A short time after the garrison went out of the house, I went in and found there was about thirty muskets, one brass swivel, a number of swords and pistols, some buck-shot, slugs, and a quantity of gun-powder, I was alarmed at the powder, and took it down to the wharf; when I returned, there was a number of men

and boys destroying the furniture; I did all in my power to prevent them, but did not succeed.

16th to the 27th, knows nothing.

28. Heard General Stricker say, he ordered out Colonel Sterett's Regiment, it being the oldest Regiment, the strongest and best organized—that he relied on Captain Shrim to turn out, as his company was very numerous, and could be easily collected; Shrim grumbled and said, now the enemy is in the camp you order us out.

INTERROGATORY by Mr. Donaldson.

1st. Was not your family in a state of great alarm during the twenty-seventh July, in consequence of the preparations going on in the adjoining house? State the particular circumstances which occurred during the day which excited these apprehensions.

Answer. My hired girl was standing at the door; I saw Mr. Hansen and some gentlemen go in the house as if alarmed; she laughed out, when Webb halloo'd across the street to her, and said, if she laughed at the gentlemen he'd be damn'd if they would not shoot her; she went in the garden, when two persons on the balcony of Mr. Wagner's house, said, if they saw any person looking over there they would shoot them; this I heard in the family; I saw nothing of it.

THOMAS C. JENKINS.

INTERROGATORIES by Mr. Dorsey.

Inter. From the time you shut the door of your house did you come out til the shooting of Gale?

Answer. No.

Inter. You do not know, therefore, there was not any other persons in the mob, except boys, in any other manner, than from their voices?

Answer. I do not.

Inter. Were your family alarmed from an apprehension, that the mob would attack the house, or the persons in the house would attack the citizens?

Answer. I cannot tell, the fears of the family was from those persons in the house, as at this time there was talk of a mob.

THOMAS C. JENKINS.

DEPOSITION

OF

LEMUEL TAYLOR.

INTERROGATORIES TO MR. LEMUEL TAYLOR.

1st. Were you not at the house in Charles-street, then in the possession of Mr. Hanson and others, on the morning of the 28th inst, in company with Mr. Johnson, and other gentlemen? State all that passed within your observation in the house during that morning, and particularly the conversations which you or others, to your knowledge, held with the gentlemen in the house, or any of them.

2d. Did you understand that any proposition was made by any person belonging to the party in the house to the mob, with respect to the republication of the Federal Republican paper in Baltimore? State by whom, and the amount of such proposition.

3d. State to the committee how the guard was formed which conducted the prisoners to gaol; did it not consist of an armed guard next the prisoners, and of unarmed citizens outside the armed guard? Did not Mr. Johnson and General Stricker appear to you active in forming said guard, and extremely solicitous for the safety of the prisoners? Were you or not, within the square, on their way to the gaol, with a view of aiding in their protection? What in your opinion was the number of the mob, when the escort moved off, and what its number when you arrived at the gaol?

4th. Do you know whether General Stricker was struck by a stone or a brickbat, thrown at any person in the square, and whom, by some of the mob?

5th. Were you not at the gaol on the afternoon of the 28th? What gentlemen did you see there? What steps were taken to pacify the mob? State particularly all that then passed within your observation, and what at that time was your impression of the disposition of the mob.

6th. Were you present when the mob afterwards made their way into the gaol? Did you see the mayor shortly before, or soon after their effecting their object? What was his conduct during their endeavour to break the gaol?

7th. Did you hear any pledge or promise of protection given by either General Stricker or Mr. Johnson to the gentlemen in the house, or any of them?

JAMUEL TAYLOR, being duly sworn. Saith.

I was at the house on the morning of the twenty-eighth of July; a gentleman by the name of Wood called on me, at my own house, and informed me that General Stricker and Major Barney wished me to go there to speak to a Mr. Wilson, the editor of the Sun, who was very noisy. I did go down, and soon met with Mr. Wilson, and had some conversation with him, demonstrating with him against the impropriety of such proceedings. Soon after this conversation, I was opposite the door and saw Mr. Johnson on horseback, just arrived as I understood from the country. This deponent soon after this, was requested by Gen. Stricker and others, to go with them into the house, which I did at their request. I went in foremost, and as I was ascending the stair-case, Mr. Hanson at the head of the stairs requested General Stricker not to permit too many to come up at a time that they were then in an unpleasant situation. General Stricker assured him they should not. I then went into the front room, and advanced towards General Lee; who being informed who I was entered into conversation with me about suppressing the mob, and asked where our fine brigade was, I answered they were then in the street; he then asked me where the Fort soldiers were; I told him I was not a United States officer, and therefore could not inform him. About that time Mr. Hanson came up, and observed, "we should take care what we were about; that we were negotiating with our enemies, or at all events not with our friends." I observed, that perhaps, we were not their friends, but were disposed to restore order to the city. He asked me then why we did not disperse the mob, for they are the aggressors and not us? I then observed that I did not come there to discuss that question, that that was for a higher tribunal. I then turned to General Lee, who asked whether if they agreed to go to Gaol, I thought they had a sufficient force to protect them? my reply was, that I did not know, but that we would go down and try to ascertain it. General Lee then asked me if I thought they would be safe in Gaol, if they agreed to go there, I told him that I thought they would, as I did not suppose any person would be base enough to break the Gaol. He also remarked that in order to secure our safety would ten or twelve of the most respectable of you go into the Gaol with us. I replied, I thought they would not; that I would not. We then Gen. Stricker, Johnson and Montgomery, went down in order to ascertain if it would be practicable to take them to Gaol with safety. I went about, and by speaking with a number I was induced to believe that we could with safety carry them to Gaol. I then spoke to Messrs. Stricker and Johnson, and informed them that I believed, if the persons in the house would come out immediately, that we could take them to Gaol. Just as Mr. John

When was returning into the house, some person asked him, where he was going to take them; he replied to his own house; this was objected to by some. I requested him to decline it, as there would be no security for them there. Stricker and Johnson then went into the house, and came out, having each of them persons, and a lane being formed on each side of the door by the unarmed men citizens, the persons were conducted into an hollow square, formed by the military. During this time frequent attempts were made by the mob to strike the persons from the house. In this manner they were conducted to the Gaol. When we proceeded as far as Christ church, music came to us.

To the 2d. He knows nothing.

To the 3d. There was an unarmed guard outside of the military guard, and to the unarmed guard I believe, the prisoners committed their safety while they were going to the gaol. General Stricker and Mr. Johnson were very active in forming the guard, and, in my opinion, very solicitous for the safety of the prisoners. I can form no estimation of the mob, it was an immense crowd. They, General Stricker and Mr. Johnson, were in the square during the march from the house to the gaol.

To the 4th. I have no knowledge of it.

To the 5th and 6th. I was there on that afternoon. I saw there a number of respectable gentlemen, of whom many were at different times addressing themselves to the mob, dissuading them from violence, and representing to them the enormity of attempting the gaol. In the course of the afternoon, I had different impressions with respect to the disposition of the mob. In the early part of the afternoon my apprehensions were slight, but as the evening advanced my fears increased, particularly when I was going from the gaol to Judge Scott's, when I met different squads of suspicious looking men going towards the gaol. In company with the mayor, I had a conversation with some of the persons assembled there, whose fear appeared to be, that the prisoners would be bailed; and although they believed what was stated by deponent and the mayor, they had no confidence in Judge Scott, who had the power to bail, and who had already bailed Mr. Hoffman contrary to promise. The mayor and deponent, in the course of conversation, remitted, that they should not be taken out of the gaol that night, that they should be tried by the laws of the country.—And this deponent endeavoured to shame a number of them from any violent conduct. The mayor then requested this deponent to go to Judge Scott, and obtain an assurance from him that they should not be bailed that night. I went to Judge Scott, and applied to him for such an assurance, which I wanted in writing; he declined giving it me in writing, but authorised me to state, on his word of honour, they should not be bailed that night. Deponent then immediately returned to the gaol, and found that the attack

on the door of the gaol had just commenced—just as this deponent got up to the back door of the gaol, he heard a man speaking to Mr. Johnson, whom he since understood was Woolcote, telling Mr. Johnson that he could do nothing more, that they were only endangering themselves, that they would as soon hit him as any body else. Mr. Johnson appeared to deponent in great distress, exclaiming “my God! what shall we do. I am ruined for ever.” At the moment of breaking the gaol, there did not appear to be more than five or six persons on the steps sitting at the door, and actively engaged, although there was a great crowd surrounding the place. This deponent believes the mayor went away soon after the entering the first door. In addition to the conversation in the house on the morning of the 28th, which I have detailed, General Stricker having remarked, that there were in the cavalry on duty, many persons, both officers and privates, on whom he could place every dependence—General Lee observed, “that the cavalry had behaved very well since they had come there.”

Answer to the seventh. I heard none.

LEMUEL TAYLOR.

I never heard that the Federal Republican was issued from a house in Charles-street till the Monday morning, nor during that day, I did hear that any preparations were made for its defence—there were, in my opinion, but very few of the Point inhabitants at the house in Charles-street in the morning.

The mayor always appeared to be anxious to preserve the peace of the city; but I know no instance, in which he ever adopted coercive measures. I was surprised at seeing such a mass of citizens collected at these different scenes, so few of whom I knew—and it appeared to me a great portion of them were natives.

LEMUEL TAYLOR.

DEPOSITION
OF
JOHN T. H. WORTHINGTON.

JOHN T. H. WORTHINGTON, being first duly sworn.

To Mr. John Worthington. Were you present at any conversation held by Mr. Stansbury in relation to Mr. Hanson and his friends, in defending the house in Charles-street: if you had, state all the conversation between him, Mr. Glenn and Mr. Gwynn.

I was present at a conversation between General Stansbury, William Gwynn, and Elias Glenn, sometime subsequent to the riots in the City of Baltimore, the precise time I do not recollect; when General Stansbury declared, "that the persons in the house in Charles-street, were all a set of *rascals*, and ought every man of them to have perished in the ruins of the house; and if he had been present, he would have been the first man to have fired the gun; and that the civil authority had no right to interfere, and ought not to have interfered; and that he would have fired the gun or cannon in defiance of the civil authority." And General Stansbury further observed, that as to those men having their trial in the City of Baltimore, "it was all nonsense; not a man of them would be tried here; they would all remove their trials to Montgomery county, where they would be tried by a tory jury like themselves." I do not recollect to have heard any thing said about the riot at the Gaol, at that time. Mr. Gwynn then expressed his astonishment at such language from General Stansbury; when Mr. Glenn observed, "it would have been no matter if the ringleaders in the house had been killed, and that he believed nine-tenths of the City of Baltimore were of the same opinion.

JOHN T. H. WORTHINGTON.

DEPOSITION

or

DAVID R. GEDDES,

DAVID R. GEDDES, being first duly sworn.

TO the first interrogatory, I make answer and say, that I was present at the destruction of Hanson's and Wagner's office in Gay-street, Baltimore, sometime in June last.

To the 2nd, &c.—As well as I recollect, I saw Judge Scott, and heard him address the mob, and believe he endeavoured to disperse them; but they (the mob) said to him, we know you; you had better go home. I do not remember to have seen a magistrate or constable—I saw no exertions made to prevent the destruction of the property, or to arrest the rioters.—I do not know that the interposition of the military was demanded. The only *offensive* weapons I saw that night, were in the possession of the mob.

To 3d, &c.—There appeared to be from 30 to 40 persons engaged in the destruction of the property; how long they remained together, I am not able to say.

To the 4th, &c.—I believe that the persons engaged in pulling down the house were chiefly from Fell's Point; whether natives or foreigners I am not able to state.

To the 5th, &c.—I cannot positively say that the attack was the result of a pre-concerted plan—when it was laid, or by whom.

To the 6th, &c.—I do not know that any information was lodged with any of the civil authority, of the destruction of the building.

To the 7th, &c.—I do not know what the property was worth.

To the 8th, &c.—I do believe that Jacob Wagner, one of the editors of the paper called the "Federal Republican," was sought for by the mob; and from what I could hear, have no doubt, but that they would have injured him materially had they have been able to have found him.

To the 9th, &c.—I went to the Point the next day, and two vessels, a ship and a brig, were shewn to me, by either a Mr. Barnes or a Mr. Ogston, of Fell's Point, as the vessels that had cleared out for Lisbon, and had been detained by the mob, and by them completely dismantled.

To the 10th, &c.—I do not know that the interposition of either the Mayor or state's officers were required, but understood that the ship had anchored under protection of the guns of Fort M'Henry.

To the 11th, &c.—I do not know of the destruction of any other private property, unconnected with the establishment of the "Federal Republican" office, but heard of threats being thrown out by the mob on the house of James Sterett.

To the 12th, &c.—I know nothing of any attempt or design to destroy any place of public worship in the city of Baltimore.

To the 13th, &c.—Whilst in Baltimore, I understood that the person and property of Robert G. Harper and John Oliver were in danger.

To the 14th, &c.—I have no knowledge that any of the civil authorities, or the Attorney-General of Maryland, were present at any popular commotion alluded to in the preceding interrogatories, Judge Scott excepted.

To the 15th, &c.—I was present at an attack made on the 27th of July last, on a house in Charles-street, in the city of Baltimore, from which the Federal Republican was issued.

I was informed that the attack was made between the hours of seven and eight o'clock at night. I was not present at the commencement, but went down as soon as I heard a gun fired, having been informed that if an attack was made on the house, the gentlemen inside would be prepared to defend themselves. It was some time after my getting into the street, that Major Barney appeared—I was standing on General Stricker's steps with a number of gentlemen, when Major Barney passed into the house. After remaining there some time, he came out, and I believe asked some person or persons on horseback, to call upon members of his squadron and desire their attendance. It was past 11 o'clock, P. M. before the troop assembled; they remained at the head of South Charles-street a considerable length of time before they moved down. I heard Major Barney address his troop two different times, if not in the words following, in words to the same effect:—"Gentlemen, you are not to draw your swords until you see me draw mine; you are to act on the offensive, I mean the *defensive*; but when you draw your swords *act like men*." They then moved slowly down opposite the house. When the cavalry advanced, the mob apparently much alarmed, scattered; but in a short time returned—from this time until the break of day, their numbers appeared to increase. The Mayor of the city had gone into the country early that evening.—He was sent for and brought to town.

To the 16th, &c.—I had reasons to suppose that an attack was designed, and would be made; having that evening early, (in conversation with some gentlemen, who mistaking my political sentiments) ascertained it. Who these persons were I do not recollect; but well remember my replying to Mr. Samuel Farnandis, and telling him what I had heard, that I was confident an attack would be made; he said, if one is made, the gentlemen in the house will be prepared to defend themselves.

I left his store, and on my way up Market-street met with Charles Hanson, of whom I enquired for his brother Alexander—he told me that he was at No. 49, South Charles-street. I wished much to see him, and went off, determined to go to the house; but on my way met with a gentleman with whom I stopped talking some time; had I not met with him I would have been in the house with Hanson that evening.

To the 17th, &c.—A call was at last made by the civil authority upon the militia—I do not know *by* whom, but *upon* Major Barney and Captain David Warfield. The orders given were, (I was informed by many of the company) that no ball cartridges should be used by the infantry. I was standing with Mr. A. Golder at his store, when he was ordered out, to be ready in a quarter of an hour. When his manner of equipment was mentioned to him, he, not considering it safe to turn out, refused, and did not go.

To the 18th, &c.—The reasons I heard assigned for refusing to obey orders were, that we have no idea of facing a mob unprepared as we are ordered to be. I have never heard of the Brigadier-General's ordering an investigation into the conduct of the officers refusing to obey orders.

To the 19th, &c.—I have no other knowledge that the attack on the house in Charles-street was the result of a digested plan, further than I have stated in my answer to the 16th interrogation.

To the 20th, &c.—I have no knowledge that the plan embraced the injury of other citizens not connected with the establishment of the Federal Republican Office.

To the 21st, &c.—I was present at the gaol of Baltimore on the 26th of July last. I entered the gaol for the purpose of speaking to Hanson, Hoffman, and some more of my acquaintance, confined in the gaol. When I got in, I was surrounded by a number of persons, two or three of whom spoke to me in a manner that induced me to believe it would be better not to express before them my abhorrence of their diabolical act. I left the gaol, and mixed with the mob outside, in order to find out if it was their intention to force the doors. I soon found it was. Capt. Andrew Boyd and Mr. Jennings went to the gaol with me. Alexander Boyd made us promise him to bring his brother from the gaol when we left there. I asked Jennings if it was not time to go to town—he thought it was. I attempted to get into the gaol a second time, to get Capt. Boyd out. I was met at the door by a man, whom I afterwards understood to be *Mason*—I was insulted by him, and my entering the gaol was objected to by him—at the same time, the mayor of the city walked up the steps—his business there, was to release from the gaol Mr. Charles McCubbin, a gentleman who had been thrown into gaol through mistake. When the mayor required

admittance, I attempted to push in; he asked me who I wished to see—it occurred to me to say, McGubbin—he, waving his hand, politely asked me to walk in—he had before told me, that I could not be admitted. I was at the gaol on Wednesday morning the 29th—I there saw *Mumma*, I believe it to have been him, holding in his hand the sheet that covered General Lingan, who was lying dead on the floor—he said to me, look at the damn'd obit'ry General—his language was shocking to the feelings of humanity.

To the twenty-second. I do know that the militia were ordered out for the protection of the gaol. I saw six gentlemen on horseback, among them a Mr. Rodgers and a Mr. Usher—they stated to Mr. Jennings and myself, that they were ordered out—they had no commanders, and they were ordered not to draw their swords—they said, if they went to the gaol, they would deliver up their horses and swords, and make the best of their way home.

My impression on Monday night, was, that Major B----- had it in his power to disperse the mob; but I am now under an impression that he could not, in conformity with the orders he received from General Stricker.

I am well persuaded, that in a conversation held with B----- since the Committee of Investigation has been sitting, he told me, he had the orders of General Stricker with him—that they were to preserve the peace of the city, and not to act offensively with the mob.

When Hanson, or some person in the house, called out from the window, leave the office, I heard the words "fire on the house" uttered by some of the mob. I saw some person, (a large man) with a match in his hand, who attempted to apply it to the cannon—In my opinion Capt. George Stevenson prevented the firing of the cannon, by moving his horse before the mouth of it.

I remember hearing Stevenson advise the mob at the Gaol not to break it open, but heard him say, 'twas too good a place for the damn'd rascals.

I am confident that Major Barney told me, that he could have dispersed the mob if he had been ordered.

On Tuesday evening I had every reason to believe that the Gaol would be broken open, and communicated this to several persons, amongst whom were two or three of the Mr. Dorey's, and a Mr. Smith, living at the head of N. C. Street. Smith said, if five or six persons would go with him to the Gaol, he would address the mob, and thought he could disperse them—but I think, his going was prevented by his wife.

On Tuesday evening I saw some, persons assembling the mob, with the drum and fife, marching up Market-street.

DEPOSITION
OF
RICHARD K. HEATH.

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RICHARD K. HEATH, being first duly sworn.

To the first Interrogatory. I answer—That I know there was a house in Gay-street, in which the Federal Republican was printed, and that it was demolished on or about the twentieth June last.

To the second. I was not in town, and knew nothing of the circumstance, until the morning after.

To the third. I know nothing about it.

To the fourth. Answered as the third.

To the fifth. I have no knowledge of any preconcerted plan, except from information derived from others.

To the sixth. Answered as the third.

To the seventh. I am not a judge of the value of the property, being entirely unacquainted with the building, except occasionally seeing it as I passed the streets on which it was situated.

To the eighth. I have no knowledge of the circumstance, except what I derived from the information of others.

To the ninth. Answered as the eighth.

To the tenth. Answered as the eighth.

To the eleventh. Answered as the eighth.

To the twelfth. Answered as the eighth.

To the thirteenth. Answered as the eighth.

To the fourteenth. Answered as the eighth.

To the fifteenth. On or about the 27th July last, between nine and ten o'clock at night, I received a message that the house in Charles-street, from which the Federal Republican was issued, was attacked by a mob, and that General Stricker wished to see me. I went to his house immediately, where I met with Major Barney, and many others; the General informed me, he had ordered out a troop or battalion of horse, under the command of the Major, who was in uniform. I saw no civil officers there, except David Fulton, esq. and I believe John Dougherty, esq. Soon after I arrived at General Stricker's a small mob with drums and life paraded up Market-street into Charles-street, and were marching towards the house, when he, with some others, stopped them. I endeavored to assist, but having been deprived of the use of one arm, by a fall from a horse, was of very little service. I remained with the General, at his request, to aid and assist him, until after two o'clock—was never very near the

house, but could distinctly hear the huzzaing of the mob and firing. I saw no interference on the part of either the civil or military authorities, further than the marching of a few troopers under the command of Major Barney.

To the sixteenth. I had information on Monday the twenty-seventh July, that an attack upon the house was intended, and went immediately to the Mayor's office to request his interference; he was absent, and I gave the information to John Hargrove, the Register, who promised "to go to the Mayor as soon as he got his dinner." I endeavored to impress strongly upon the mind of the register, the necessity of the interference of the civil authority. They both have since informed me, that the Mayor received my communication about four o'clock that evening, but no steps were taken by either of them, that I ever heard of. The Mayor has since expressed to me great regret that he did not see me on that day.

To the seventeenth. A call was made by the civil authority upon the military, which eventuated in the written orders to Major Barney, and which I believe were generally to preserve the peace of the state.

To the eighteenth. The orders issued by General Stricker on that evening were generally disobeyed by officers and men. I have heard no reasons assigned for their disobedience, and I believe General Stricker has ordered no investigation into the conduct of the officers.

To the nineteenth. Answered as the eighth.

To the twentieth. Answered as the eighth.

To the twenty-first. I was at the Gaol, on the morning after the attack on the house in Charles-street, when the gentlemen were confined, and there appeared a very riotous disposition among the mob. I was there told that the Gaol would be broken open, and the gentlemen all murdered, if steps were not taken by the proper authorities to prevent it. I informed Colonel Strett what I had heard at the Gaol; we went to General Stricker, and informed him of our apprehensions for the safety of the gentlemen, when he gave a verbal order to the Colonel to call out the fifth regiment; upon reflection we concluded we ought to have a written order, which was at once promised to me by the Gen. who afterwards refused it on the ground that the requisition of the preceding evening had been complied with, by his call on Major Barney, and that he, the General, had no authority to issue a new order without another requisition from the civil authority.

To the twenty-second. On the day after the attack on the house in Charles-street, I called on the Mayor at his office, to request he would call on the military authority for a force adequate to the protection of the Gaol, and gave him the information I received there as mentioned in my answer to twenty-first Inter-

negatory. He started many difficulties; would at times consent to call on General Stricker, then object, and again consent; which occupied a considerable time; he then said he must see his Lawyer Mr. Purviance, who, I told the Mayor, was then at Judge Scott's office. We went up there, and met the attorney-general, Mr. Purviance, Mr. Buchanan, and many others; the first of whom argued against the propriety of calling on the military, and nearly succeeded in preventing the Mayor from signing the requisition, so nearly that he actually refused to sign it until I made use of some very warm and harsh expressions upon the subject. I was particularly anxious that the Mayor should sign the requisition, as an idea had gone abroad among the mob that he was friendly to them, and would use no exertions against them, or to put a stop to their proceedings. As soon as it was signed, I took it up, and set off to look for General Stricker; the Mayor immediately followed me to the door, said he wanted that paper, (alluding to the requisition he had just signed) which I at first refused; but upon his telling me that he could not consent to its being delivered to the General until an interview was had with him, and agreeing to go with me in search of him, I gave it up. We went to the General's street and dwelling, but could not find him while we were together. After we separated I went again to the General's house, where I met Colonel Sterrett, and we remained there until he came in, when he immediately signed an order for the 5th regiment to turn out, he having had the interview with the Mayor previous to my meeting with him, the General—Colonel Sterrett received the order from the General, and we gave written order to the Captains generally. I believe the order received from the General was to preserve the peace of the state.—Some of the officers, and men generally, shamefully disobeyed the order. There were never forty persons under arms, belonging to the 5th regiment, at any one time, including officers, non-commissioned officers and privates. Some assigned the want of ball cartridges as a reason for not turning out. Captain Keller gave to me as a reason for not turning out, "that he thought there would be danger, and he did not like to turn out." General Stricker has ordered no investigation of the conduct of the officers that I ever heard of. I did not hear General Stricker give orders about cartridges, but he has informed me, since the murder at the Club, that he advised, recommended and requested, Colonel Sterrett, not to take ball cartridges. The 5th regiment were ordered out (as I have mentioned before) by Gen. Stricker, but very few obeyed. These were ordered by Colonel Sterrett to march to the Club—on our way we were met by the General, who ordered us to return to Gay-street, and wait for further orders; we obeyed, and waited a considerable time, when we received orders from him to dismiss, and the troops were

Dismissed, not long before sun-set. I heard no reason assigned at the time for the dismissal, but understood very soon afterwards from the General, that he did not apprehend any danger. I approved of the dismissal at the time, for I did not then think we had a force at all equal to the protection of the Gaol, even if we had been well provided with good arms and plenty of ammunition; but as we were without ball cartridges I thought we could be of no service whatever.

To the twenty-third. Answered as the eighth.

To the twenty-fourth. I recollect nothing farther at present.

To the twenty-fifth. I have heard Judge Scott say, that he ordered, or summoned the constables to assist in the preservation of the peace of the city, and that they shamefully refused, or neglected to do their duty; I never heard any reason assigned for their refusal or neglect.

To the twenty-sixth. An application was made to Judges Scott and Smith, to bail the gentlemen in the gaol, by their friends, and I understood them as at once consenting to admit the whole to bail. I afterwards heard, and I think from Judge Scott, that they would not be admitted to bail, on the ground that they were charged with the crime of murder.

To the twenty-seventh. I saw the mayor and attorney-general, and I believe General Stricker, at Judge Scott's office, on the 28th of July last, and understood they were consulted upon the application to bail the gentlemen, what was *their* determination I knew not.

To the twenty-eighth. I do not recollect that General Stricker ever assigned any reason why he called on the fifth regiment.

R. K. HEATH.

INTERROGATORIES

Put by Mr. Donaldson to Mr. Heath.

1st *Inter.* Did you see Major Barney on the night of the 27th July, at General Stricker's? Did you there express any opinion of his conduct, and request him to take care of himself?

Answer to the first. I saw Major Barney at General Stricker's. It appeared to me that the major was fully determined to do his duty as an officer and citizen, and I expressed myself so then and afterwards. I thought the major appeared warm, and I took the opportunity of requesting him to be cautious, to take care of himself, and not to act rashly.

2d *Inter.* Did you express any opinion to Major Barney the next morning, as to his conduct the preceding night? State what you then said to him?

Answer to the second. I do not recollect any conversation with Major Barney on the 28th, relative to his conduct on the 27th.

3d *Inter.* Did not General Stricker on the night of the 27th, appear to you sincerely anxious to do his duty as commandant of the militia?

Answer to the third. It was my firm belief, that Gen. Stricker was sincerely disposed to do his duty on the night of the 27th—His language and conduct while I was present, induced that belief.

4th Inter. Do you know whether or not there were considerable collections of people in different parts of the town, on the afternoon of the 28th of July, at the different places where the militia, whether of horse, foot, or artillery were ordered to assemble?

Answer to the fourth. There was a large collection of people in Gay-street during the greater part of the time the military were there, and among the rest George Woolleslager and Baptist Irvine.

5th Inter. You state, that "an idea had gone forth among the mob that the mayor was friendly to their proceedings."—State the circumstances which induce your belief, that such was the fact?

Answer to the fifth. I frequently mentioned to persons, who appeared to be favourable to the mob, that the mayor would use his authority to put the mob down, and was answered, that the mayor was the friend of the people, and would do nothing against them?

6th Inter. Did you or not, previous to the dismissal of the troops on the evening of the 28th, or at any time during the afternoon of that day, say to any person, and to whom, that you had information you could depend upon, that there was no danger of an attempt being made on the gaol that night, and therefore that you approved of the troops being dismissed?

Answer to the sixth. I never did say, previous to the dismissal of the troops, that I had information on which I could depend—that there was no danger of an attempt being made on the gaol; for the information I received on the subject was some time after the troops were dismissed, from a man I met near the Baltimore Library, on my way to the gaol, and just before I met General Stricker, who was then on his return home, who assured me that all was quiet at the gaol, and no danger to be apprehended. I never said that I approved of the dismissal of the troops in consequence of such information, for it was not received until they were dismissed. The man I met near the library told me, that there would be no attack made upon the gaol, if there was no attempt to bail the gentlemen, but if there was, he thought they would be murdered; on that man's word I always placed great reliance.

Annapolis, December 3d, 1812.

R. K. HEATH.

Interrogatory put by the Committee.

What information did you derive from others, as to a combination for the destruction of the office of the Federal Repository?

former. I understood that an association was formed and signed for that purpose, by about one hundred and sixty persons.

R. K. HEATH.

Annapolis, December 3, 1812.

DEPOSITION
OF
ROBERT PURVIANCE.

ROBERT PURVIANCE, being first duly sworn--

Answers of Robert Purviance to the printed Interrogatories.

Interrogatory first. I do.

Second. I was there—I saw there Mr. Scott, the chief Judge, and Mr. Edward Johnson--With the latter I was in company several times in the course of the evening. Between the hours of eleven and twelve I accompanied Mr. Johnson into the crowd. Before intermingling with them, Mr. Johnson observed to me, he would go *again* among them for the purpose of diverting them from the object they had in view. As soon as we came near to the spot where the person was, who held a rope which was attached to the office, we were separated by the pressure of the crowd; after this I saw no more of Mr. Johnson.

Third. The number of persons concerned in pulling the house down in Gay-street, did not appear to me more than thirty.

Fourth. I cannot.

Fifth. I have none.

Sixth. I do not.

Seventh. I cannot say.

Eighth. I do not know.

Ninth. No, I have not.

Tenth. I do not.

Eleventh. I have no personal knowledge of any but what was connected, either mediately or immediately with the Federal Republican establishment.

Twelfth. I know of none.

Thirteenth. I do not.

Fourteenth. I refer to my answer to the second Interrogatory.

Fifteenth. I was at the head of Charles-street the night on which a house in that street was attacked--The distance at which I was from the house precluded me from particular observation.

Sixteenth. I had not.

Seventeenth. I presume there was—I saw a troop of horse collected together at the intersection of Market and Charles-street.

Eighteenth. The answer to the preceding Interrogatory conveys my impression that the order to the military, if not generally, was at least partially obeyed.

Nineteenth. I have none.

Twentieth. I have none.

Twenty-first. I was not.

Twenty-second. On the afternoon of the day on which the Gaol was broken open, I went into Gay-street for the purpose of looking at the militia who were assembling there, in consequence, as I then, and have always understood, of orders from General Stricker, to march thence to the Gaol for its protection. I counted the number which appeared—Of the foot there were thirty-five—Of these on horseback, inclusive of officers, there were eleven.—Among these officers I noticed Colonel Sterett, Major Heath, and Major Barney. Of the activity and zeal of Major Barney I took several opportunities, in the course of that afternoon, to express myself.

Twenty-third. I was passing along Market-street the night on which a crowd had assembled near the post-office. Just as I got into the midst of them, the crowd understood an order was given to the cavalry to charge. The confusion which was consequent prevented my acquiring any other information than the fact of assemblage.

Twenty-fourth. Nothing farther than what is common to all.

Twenty-fifth. For several days subsequent to the breaking in of the Gaol, the Sheriff summoned a number of persons to meet at the Gaol for its future protection; I know of no person who refused to obey his summons.

Twenty-sixth. I know of none.

Twenty-seventh. I do not.

Twenty-eighth. I have not.

ROBERT PURVIANCE.

INTERROGATORIES to Mr. Robert Purviance.

1st. When you were at the post-office at the time of the collection of the mob, there, did you hear Mr. Johnson the Mayor address the crowd? state, as nearly as you can, the expressions which he then used.

I understood Mr. Johnson in his exhortation to the crowd, as saying, we have laws, they must govern, and they shall govern. At this time a charge was made by the cavalry, and the crowd were dispersed.

2d. When you were in company with Mr. Johnson at the demolition of the Federal Republican office in Gay-street, did he or not appear to you generally sollicitous to prevent the mob from destroying the property, and resolved to use his exertions in order to prevent it.

No man appeared more desirous to check that outrage, and so far as my observation went no man rendered more personal exertions to accomplish it. I heard Mr. Johnson observe in the course of the evening, that he had made use of this language to

one of the persons concerned in demolishing the house, as a
man of dissuading them from their violence--You say your
object is to destroy the Federal Republican; you are now not
doing that, you are destroying the property of an innocent man.

ROBERT PURVIANCE.

DEPOSITION
OF
WILLIAM STEWART.

INTERROGATORIES TO MAJOR WM. STEWART, BY MR.
DONALDSON.

1st. Were you present some short time after the demolition of the Federal Republican office, when a mob collected opposite to the house of one Hutchin's in Old-Town? If you were, state all that passed within your observation on that occasion, and particularly all that you observed with relation to the conduct of Edward Johnson, Esq.

2d, *Inter.* What in your opinion was the number of the mob on that occasion? and did there appear to be a disposition among some of them to arm themselves upon hearing that arms would be used against them?

3d, *Inter.* Did not Mr. Johnson upon that occasion, appear to you extremely solicitous to disperse the mob, and to maintain the peace of the city?

4th, *Inter.* If you know any other matter or thing connected with the late mobs and riots in the city of Baltimore, the causes thereof, or the conduct of the officers, civil and military, of the city, touching this inquiry, state the same as particularly as if specially thereto interrogated.

WILLIAM STEWART, being first duly sworn.

Answer to the first Interrogatory.

LIVING immediately in the neighbourhood, early on the same evening, some short time, as I suppose, after the convocation opposite Hutchin's, I was informed by Samuel Young, Esq. that a very large assemblage of persons was at the house above stated, and that he apprehended some evil consequences from them. I immediately repaired to the place, where I found Edward Johnson, Esq. and many others, using their utmost endeavours to disperse the mob, and prevent the injury of Hutchin's or his property. The people were much infuriated in consequence of a toast which Hutchins was said to have drank during that day; the toast was—"Damnation to the memory of Washington, and all who espouse his cause." The passions appeared to be so high, that some persons better disposed, proposed to search the house, and if Hutchins was not to be found, to disperse and leave the place. The question then arose who should be the persons to enter the dwelling for that purpose; many of the mob wished, and indeed insisted, upon going in, but they were over-ruled. Mr. Johnson, being mayor of the city, was named

as one in whom they *must* have the utmost confidence. He accordingly, with some other gentlemen, went into the house, returned, and assured the people that Mr. Hutchins was not in the house; upon which assurance they dispersed partially; but a reiteration of the same assurance induced them to disperse entirely in the end.

Answer to the second Inter. I cannot say with accuracy what number was collected, but suppose from eight hundred to one thousand. Upon the appearance of some persons with swords in their scabbards, and held behind their backs, I heard a cry of "They are coming with arms to disperse us, we will return home and bring our guns and bayonets, and can fight as well as them;" they were in much ferment on account of the sight, but were again appeased, by my repeatedly stating to them the probability of the persons with swords having been exercising, (they being opposite the house used as a military academy at that time, of which I was a member.) This affair took place after the assurance from Mr. Johnson, that Hutchins was not in the house, and appeared to me to create more warmth than any thing else I saw or heard.

Answer to the third Inter. Mr. Johnson did certainly use his utmost exertions to disperse the mob, and maintain the peace and order of the city; in this I cannot be mistaken, for I remained there until the mob was entirely dispersed.

Answer to the fourth Inter. Being one of a committee appointed by the City Council of Baltimore to ascertain the facts, and publish the same to the world, touching the unfortunate occurrence that had taken place—it will there be seen what my opinion is concerning it, deduced from evidences examined before us. It will there be seen, that Dr. Gales was shot, and fell outside of the foot-pavement, which was proved by Captain Joseph Hook of Baltimore. It also appeared from the evidence of Mr. Peter L. White, which I took down in writing at the time, that Mr. Hanson told him (White) that if he saw Mr. Johnson, the mayor, opposite the house in Charles-street, at the head of the mob, he would shoot him. Mr. Dennis Nowland, did also state to that committee, that himself was the first man wounded on that night, which was by the falling of some heavy article from the upper part of the house, he being on the pavement below in front, which cut off two of his toes, and wounded a third. It was also proved to our satisfaction, that John Williams was upon the opposite side of the street as a spectator when he was wounded, of which wounds he died in a few days afterwards.

As to the affair at the jail I know nothing whatever, except from hearsay, being absent from Baltimore at the time.

Inter. 5th. Were any of the witnesses who were examined by the committee appointed by the City Council upon oath before them?

Answer. They were not upon oath.

Interrogatories to Mr. Stewart by Mr. Dorsey.

How did the Mayor attempt to disperse the rioters at Hutchins? Did he attempt to have any arrested, or did he threaten to do so?

Have you ever heard that any combination was formed to destroy the Federal Republican office, or to injure the persons of its proprietors or others?

Have you heard any of either the civil or military officers of your county excite or approbate the conduct of the mob?

Answer to the sixth Inter. The mayor appeared to persuade and solicit the persons assembled to disperse, and in some instances stated, that more violent measures must be resorted to, if they did not disperse; however, I was not close to him the whole night, and therefore did not hear every observation that he made. I saw him frequently about the door of the house, where he appeared to continue for the purpose of protecting the property. His general conduct was persuasion.

Of the seventh and eighth interrogatories, I have no knowledge whatever.

When the mayor went into Hutchins's house to ascertain for the people whether he was there or not, he knew he was not in the house, having in the early part of the evening solicited him to retire for fear of his being injured, the mayor and civil officers exertions to the contrary notwithstanding, for I suppose the object of the mob was to do Hutchins an injury if they caught him.

Inter. Do you believe that the same occurrences which led to the imprisonment of the gentlemen in the gaol were again to exist, a force equal to their protection could be rallied?

Answer. I think there could, for if one regiment was not sufficient the General could order out five, and I believe a sufficient number would obey the requisition.

DEPOSITION
OF
PETER L. WHITE.

PETER L. WHITE, being first duly sworn, saith.

For republishing second. I was called on by Mr. George Raborg at about nine o'clock on the evening that the office was destroyed in Gay-street, and requested to go with him to Mr. Wagner's dwelling house in Charles-street- as he, Mr. Raborg, was afraid the mob would come up there. I went with him, and while there, one of the city constables was passing by, I informed of our apprehensions, and requested that in case the mob should come up that he would aid us; his reply was that the peace of the city should not be disturbed by the damn'd rascals, or such a rascal as Wagner, they ought to put a rope round his neck, and draw him out of town, then hang him on the first tree they came to; and promised that he would assist me if I came for him. There were five or six gentlemen came there while I was present, I believe to defend the house if the mob came; I was acquainted with but one, which was Mr. C. Hall. I think it was near eleven o'clock, and the mob had not made their appearance, when we supposed they would not come that night. Mr. Hall and myself went home. I went to bed, and about two o'clock in the morning, Mr. Raborg again came to my lodgings, and informed me the mob had made their appearance at the house; I immediately dressed and went with him. On my way I stopped at a watch-box and requested the watchman to go with me. When we arrived at the house, I placed the watchman at the door of the alley that leads into the yard, and told him to stand there, that I would soon get assistance. I demanded of them what they wanted, or what was their business? to which they made no answer. I then went to a Constable's house, who lives in the neighbourhood, rapped at the door as hard as I was able, but receiving no answer I returned again to the house, and as I was going up the alley, I met four or five of them coming out; I again demanded what they wanted. After they had passed me, I heard one of them say in a low tone of voice, they wanted Wagner-- I replied, they had better go without him--I followed them out of the alley and they went off; we then secured the house, and I went home. The Constable alluded to in the foregoing narrative is named James Kelly.

Inter. 13th. On the twenty-sixth of July, it was reported in the neighbourhood where I reside, that Mr. Hanson had taken possession of the house that Mr. Wagner had occupied, and that

the Federal Republican paper would be published from that house. I went to see Mr. Hanson, to know if the Federal Republican was to be published from that house, (it was between ten and eleven o'clock at night that I had this interview with Mr. Hanson, for I had not heard of his being in town until about sundown of this day.) When admitted into the house, I was received by two gentlemen who were strangers to me; I requested to see Mr. Hanson, and informed them of my business, which was to know if the Federal Republican was to be published from that house, and expressing, if it was, the fears that my Mother had of the property being demolished, when one of the gentlemen informed me that Mr. Hanson had retired, but that he would inform him of my visit, and then went out of the room, and in a few moments returned with Mr. Hanson. I informed Mr. Hanson of the purport of my visit, of the fears my mother entertained for the safety of the property, if the Federal Republican was published from that house; Mr. Hanson replied, that he had a lease on the house, and that he was in possession of it; we must seek redress from the original person who we had let the property to. I then enquired of Mr. Hanson whether in case the property was destroyed we could come on Mr. Wagner for the damages done; and observing, I did not know that Mr. Wagner had a right to lease the property. Mr. Hanson told me I could consult my council, and that he did not apprehend so much danger as was apprehended, or that we might imagine. I had also informed Mr. Hanson of the circumstance of Mrs. Wagner's taking the house for her dwelling, and of a promise that the house was to be taken particular care of. Mr. Hanson requested me to make my mother easy, that the property should be taken care of; and observed he had been riding all day and was fatigued; that he would have been glad if I had called at an earlier hour. I then bid them a good night and went home. The two gentlemen who were strangers, as above alluded to, I have been informed were Mr. Crabb and Mr. Gaither, who remained in the room during this conversation. When I arrived at home, I informed my mother of what had passed between Mr. Hanson and myself, and urged the necessity of applying to the civil authority as soon as possible.

On Monday morning, the 27th of July, as soon as we had taken our breakfast, my mother and myself proceeded to the house in Charles-street, that was occupied by Mr. Hanson; and on being admitted into the house, we were received by a young man, whose face was familiar to me, and whose name I have since been induced to believe was McClellan. On enquiring for Mr. Hanson, this young man informed us, any business we had with Mr. Hanson that he could attend to. My mother informed him of a report being in circulation, that there was a press set up in the house, and that as she had not rented the house for the purpose

of being made a printing office of, she would take down, or have it taken down, the next day; and then enquired if there was a printing press set up in the house. I do not remember the expression that he made use of in answer to this, but it was such as to induce us to believe there was a press in the house. She next enquired which room the press was set up in, and observed, that she supposed it was in her best room up stairs. The reply was that it was immaterial where it was; that he did not think we had acted generously towards Mr. Wagner, in not returning the money he had paid on the first quarter. I immediately in reply to him observed, that he ought to consider the situation in which my mother was placed; that when Mrs. Wagner had made application for the house, that I had advised my mother not to rent the house for less than 400 dollars per annum; that she had let Mrs. Wagner have it for 350 dollars, on Mrs. Wagner's assurance that the house should be taken particular care of; there only being herself and Mr. Wagner in family, they would only use the two first stories; the rent would be punctually paid, and that, if my mother would agree, they would take the house for five years. All of these circumstances had induced her to let them have the house for one year at \$ 350 per annum, and now we must see the house in jeopardy, and given up to Mr. Hanson, for the purpose of publishing a news-paper, because she did not return the money to Mr. Wagner, notwithstanding the money had been nearly expended to put the house in order for the reception of Mr. and Mrs. Wagner. The reply to this was, as well as I remember, that there was not so much danger as we apprehended. About this time I became warm and a little irritated, for I believed an attack would be made on the house if Mr. Hanson remained in it. I then proposed to pay them the money in question, if they would leave the house immediately. Mr. Hanson came to me and said, that if I would go up stairs with him he would shew me what they were doing, or what was going on. I went with Mr. Hanson as far as the first platform of the stair-case, when Mr. ———, the gentleman that I think is Mr. McClun, called out and observed, that it was improper for Mr. White to go up stairs, and observed they could or would hold me responsible for the consequences; we then returned, and Mr. Hanson, and this gentleman above alluded to, told us in very positive terms, we should not suffer by their occupying the house; that they would pay the damage sustained, and sooner than we should suffer, they would pay double the damages we might sustain by their being in the house; and observed they would leave it sooner than we might suspect, or sooner than we thought for. We now left the house, and near the door we were met by Mr. D. Nowland, from whom we proceeded to the Mayor's office; the Mayor was not in; my mother staid at the office. Mr. D. Nowland and myself, then proceeded to the

break-house, and was informed Mr. Johnson, the Mayor, was gone to the office in South-street; we then returned to the office, but Mr. Johnson had not yet arrived. We waited at the office some moments till Mr. Johnson made his appearance, and was introduced by Mr. Nowland to my mother; we informed of our business, and of the circumstances which had taken place. Mr. Johnson's reply was, that the people was tired of mobs, that he did not think we had any thing to fear. I then related to Mr. Johnson, the Mayor of the city, of my being in the house, and of my seeing the arms, and of the circumstances that took place with Mr. Hanson and myself; Mr. Johnson answered, that if there was arms in the house he would not go near; that he would not place himself in a situation to be shot at. I then observed to Mr. Johnson, that if he would give me authority, I would defend the house, if I was permitted to arm myself, or if he would supply me with the arms; Mr. Johnson's answer was, that it would not do. The question was then put by Mr. D. Nowland, whether or not, sir, is it in your power to protect this property? The Mayor answered that he had the power, but if there was arms in the house he would not have any thing to do with it. Mr. Johnson observed to my mother (as we were going out of the office) that he did not think there was any danger, as well as I remember, in the following words: "Madam, you need not be under any apprehension, for I do not think the property will be injured;" or words to that amount. We now left the office; I proceeded with my mother as far as Charles-street, where we separated. It may not be improper here to observe, that while we were in the Mayor's office, the two following gentlemen made their appearance, Mr. Bankson, a justice of the peace, and Mr. N. Andrews; Mr. Hargrove the register of the city, was in the office when we arrived there, and staid during the time this information was communicated to the Mayor.

After separating from my mother, I was in conversation with Mr. J. M. Dosh at his door, which is the second from the house Mr. Hanson occupied, and makes the corner of Ruxton Lane. I was called by Mr. Hanson; I went to him, when he begged of me to make my mother easy, that it was not the first time he had been threatened; that when he was living in a lady's house, (whose name I do not remember,) he was threatened with having it pulled down, and that he did not feel afraid. Observing, at the same time, that my mother ought not to mind what every body said to her; that the mob could not do more than break the windows, and that she should not be the sufferer; and asked me who the man was that I was in conversation with, if he was not very much frightened? I replied, it was Mr. Dosh, who was a harmless inoffensive man. I then informed Mr. Hanson, that I had been at the mayor's office, and that the mayor would not interfere at all in the business. Mr. Hanson observ-

ed, that he intended sending a note to him, but as I had been down it would save him the trouble; he rather supposed the mayor would come at the head of the mob, and if he did, by God he would shoot him. After leaving Mr. Hanson, I went home, and after suggesting the idea to my mother of obtaining a bond from Mr. Hanson, as a security for the property. I went to see Mr. T. C. Jenkins, who lives next door to the house Mr. Hanson occupied—Mr. Jenkins and myself was in conversation at his door when Mr. Hanson made his appearance at his own door. I then went to Mr. Hanson, asked if he would be willing to give me a bond for the security of my mother against losses she might sustain. Mr. Hanson answered, that if he gave a bond for the property, that the mob would pull down the house, knowing it to be his property. I requested of Mr. Hanson to consider the particular situation the property was placed in, and if we might judge from what had taken place, we might suppose what would be the consequence; he observed, that he never heard of such a thing as giving bond for rented property; that we must look to our laws for protection, and as long as the property belonged to my mother he thought it was safe enough. During this conversation, there was an elderly gentleman came to the door, when Mr. Hanson asked him the propriety of giving a bond, which he objected to. I left Mr. Hanson, not with very agreeable feelings. I think it was now about mid-day, and nothing of note took place, (except that it appeared to be a prevailing opinion that the house would be attacked.) In the afternoon of this day, I was advised by a man to employ a dozen or two men, give them a dollar a-piece, and drive them out of the house. I felt that this mode of proceeding would be highly improper, and expressed myself to that amount; when this man answered, he thought that any jury would justify me for so doing. I proceeded home, and staid there till after sun-down. I went, in company with two ladies, I think about twilight, by the house, and saw the mob was gathering. When I had seen the ladies home, I directly returned home, and the weather being warm, I changed my coat for a lighter one, and proceeded to the house, with a view, if possible, to persuade the people from acts of violence. I had been there but a few moments, when those in the street commenced hallooing out, Fire, Fire, you damned Tories! Fire! we are not afraid of you. I must here observe, I saw no light in the house, but all appeared quiet within. I went in or about the middle of the street, and begged of them not to be crying out so; that the persons in the house would injure no person if they would be quiet and peaceable. They gathered round me, asked me who I was, what was it my business, &c. &c. to which, a gentleman who was standing near me, answered, that I was the son of the owner of the house, and that the house belonged to the widow of Captain Simon

White; when they answered, they would not injure the house, that they had known Capt. White, &c. &c.—the name of the gentleman last mentioned is Paul Gold; when he caught me by the arm, and requested me to go with him, telling me, it was not safe for me to say any thing to them. I went with him to his own house, and staid there about fifteen minutes; when I again heard a noise in the street. I then returned again towards the house that Mr. Hanson occupied, and while walking near the house, a large size stone was thrown, which fell near me. I crossed the street immediately to the place where I thought the stone was thrown from; the first person I met was a man who is in the employ of George Deener, the porter-seller; I supposed that this man knew me; I did not feel the least apprehension of any personal attack, but enquired of him if he knew where that stone was thrown from? he answered directly, Damn your soul, are you one of them. I immediately answered I was not one of them, and that he was conducting himself in a very improper manner; he seized me, and told me to come along with him—Seeing no persons near that was willing to interfere, and supposing it at the risk of my life to resist, I suffered this man to take me some distance up Charles, thence round a corner, some distance up Under's alley, until we met a crowd of persons; we then stopt, and fortunately some of them knew me, and told this man I was not concerned with the party in the house—he let me go, and observed, he was sorry for me, but could not help it, and gave a loud whistle, I suppose to gather more persons to his assistance; none, however, came, and he went again into the street, crying out, Fire! Fire! you damned tories, &c. &c. About this time, I heard the glass break, and as soon as I thought myself out of the fangs of the mob, I proceeded home, and informed them of what was going on. My mother requested that I should go to General Stricker's, and see if he would, or could, do any thing for us. Accordingly, Mr. Lambert Nowland, and myself, went to see the General; when we arrived at General Stricker's house, there were two gentlemen sitting on the steps before the door. I inquired for the General, who was sitting near his door; and, as soon as I saw him, without paying any attention to what the two gentlemen might have said, I addressed myself to General Stricker, and asked him, what means should be taken to disperse the mob; to which General Stricker answered, I do not disperse mobs; or, I am no disperser of mobs; in so contemptuous a manner, that I felt somewhat embarrassed; but on recovering myself, I told him, that I hoped there was no offence; he answered, there was no offence, and that he could do no more than any other citizen. I then requested of him, or asked of him, if he would inform me of the legal methods I should pursue in order to obtain some protection; he answered he did not know what I ought to do, or what would be a legal method

then inquired if I was Mrs. White's son; I told him I was— then answered General Stricker, you ought not to let such people have your house. I returned home, disgusted with such officers, and on my way home heard the first volley that was fired. I then communicated to my mother the result of my visit to Gen. Stricker. In a little time after this, Mr. Lambert Nowland, Mr. Thomas Russell, and myself, went as far as the corner of Charles and Pratt-street; while at the corner, we heard somebody cry out, as though they were wounded, and immediately a gentleman was brought forward, who proved to be my brother-in-law, Mr. Dennis Nowland, who I assisted in getting home, and I do not remember of going near the scene of action again that night.

On Tuesday, the 28th inst. early in the morning, I went to see Mr. Dennis Nowland; on my way from Mr. D. Nowland's, and in company with Mr. Lambert Nowland, we met with Mr. James P. Heath. I shook hands with him, and told him I was glad to see him alive; he requested we would say nothing; and observed, they will hang us all. He then informed us, that he had been ordered out of the house to get in the rear of the mob to fire; and, it was supposed, they would think it was the militia and would disperse. That when he had got out he could not get in again, but was compelled to fight his way through as well as he could. Mr. Lambert Nowland and myself, continued our way down Pratt-street; and while at the corner of Pratt and Charles-street, Mr. William K. Galloway came up to me, and asked me if I knew whether James P. Heath had been in the house in Charles-street. I answered to him that I did not know. He then said, that if he knew that James P. Heath had been in the house, he would set the mob after him, and that every man of them ought to be put to death. Mr. J. P. Heath was standing at this time at the opposite corner. Mr. L. Nowland and myself, then went up Charles-street, but could not hear what was said at the house; it appeared to be the opinion of some person there, that there was not sufficient power in the officers of the city to order out the military. We then returned, and went towards home, and again met Mr. J. P. Heath at the corner of Pratt and Hanover-street. I requested of him not to make himself so public, and informed him of the threat I heard made against him. Nothing of note occurred, until about twelve o'clock, when a lady came to the house of my mother, and informed her the mob was destroying the furniture; that if she would let it come up there they would not destroy it. I strenuously opposed it, under the impression that the mob would come with it, and if they did, there was no authority in the city that would protect her or her property; the mayor and lieutenant-general had both refused to interfere.

After receiving this information, we went again to the mayor's office, but he was not in. We informed Mr. Hargrave, that the mob was destroying the property. Nicholas Strike, one of the constables in the city, came down to the office, and begged for God sake, that something might be done to prevent the destruction of the property, but finally nothing was done.

Interrogatory put by Mr. Donaldson, one of the Committee, to Mr. White.

Inter. At what time of the night did you call at Gen. Stricker's house? Who were the two gentlemen who were present when you called? Did or not, Gen. Stricker say, that he could not order out the militia without an application from the civil authority? And did you not understand from what passed subsequently, that his power as a "dispenser of mobs" was not greater than that of any other citizen until commanded by the competent authority to order out the militia?

Answer. It was about nine o'clock, that I only remarked two gentlemen there, and I do not know who they were. That Gen. Stricker was sitting in a chair near the door. That Gen. Stricker did not say any thing about the civil authority, but merely said, his power was not greater than any other citizen.

DEPOSITION
OF
RICHARD B. MAGRUDER.

RICHARD B. MAGRUDER, being first duly sworn—

The answer of Richard B. Magruder, of the City of Baltimore, to the several Interrogatories propounded to him by the Committee of Grievances and Courts of Justice, now sitting at Annapolis.

1st. To the first Interrogatory this deponent answering, saith—That in common with every other citizen of Baltimore, he knows that a house in Gay-street, occupied as a Printing Office by the editors of the Federal Republican, was destroyed at or about the time stated in this Interrogatory—he believes, however, that it was on the 22d of June, and not on the 20th. This deponent was not present, and did not hear of the demolition of the office and its contents, until the morning after.

2d. To the second Interrogatory this deponent saith—That he was not present, and therefore did not see any of the Magistrates, Judges or Constables present; he cannot say, except from information derived from others, whether any exertions were made by any person to prevent the destruction of the property, or to arrest the rioters. He does not believe that the interposition of the military was demanded, as he never heard a suggestion that it was. In answer to that part of the Interrogatory which relates to the military, this deponent deems it proper to state, that the brigadier-general of the militia of Baltimore, on whom a call would probably have been made, had the civil authority required the interposition of the military, was at the time of the outrage referred to, absent from the State of Maryland, and had been for some time prior to that period.

3d. To the 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, and 14th, interrogatories, inclusive, this deponent answering, saith—That he has no knowledge of any matter or thing therein contained, except what is derived from others, which he presumes is not such testimony as would be received by the committee.

15th. To the fifteenth Interrogatory this deponent saith—That on the 27th day of July last, between the hours of eight and nine o'clock, he was sitting on the steps at the door of Gen. Stricker's house, in company with Messrs. George Howard and Dennis F. Magruder, of the City of Baltimore—General Stricker was also sitting there. At about half past eight o'clock, as near

It is deponent can recollect, a person, whom this deponent recognized (after he spoke) to be Mr. Peter L. White, came up Charles-street and ran up to the second or third step, and in an impatient manner asked for Gen. Stricker, who immediately replied that he was Gen. Stricker. Mr. White then asked if he was not going to disperse the mob who were tearing the house to pieces. The young man appeared to be a good deal agitated, and to ask the question as if he thought that *he* had a right to require of the general a call of the militia, and did not probably know that he could not order out a force without authority. General Stricker replied to his question, that he had no more to do with the quelling of mobs, than he (Mr. White) had—that he must go to a magistrate. White then remarked, “I hope there is no offence, sir;” to which General Stricker replied, “None, sir, not at all.” White then observed, that his mother had applied to the civil authority, (and to the best of this deponent’s recollection he said to *the Mayor*) that afternoon, who would do nothing. At the mention of his mother, Gen. Stricker appeared for the first time to know who Mr. White was, and remarked with much mildness, “you are then a son of Mrs. White.” To which White replied he was. General Stricker then told him that he had no power to order out the militia, and that he must apply to the civil authority—he also observed, that he was surprized that his mother would rent her house to such persons. Mr. White said she had rented it to Mr. Wagner for a dwelling house, and never intended to rent it to the editors; and went away. A few minutes after this, deponent heard the huzzas of some persons in the direction of the house, and about a quarter of an hour after White left General Stricker’s house, perhaps a short time before nine o’clock, a discharge of several guns, in the direction of the house attacked, took place, which discharge this deponent saw. It appeared to him from the direction of the fire which was emitted, to be from the second story of the house, and above the heads of any persons who might have been, and no doubt were, in the street at the time. Immediately upon this discharge, this deponent rose up from the steps on which he was sitting, (as did also the gentleman before mentioned) and remarked that there were guns in the house, and something serious would take place. In about twenty or thirty minutes after the first fire, several guns, to the number of eight or ten, as well as deponent could guess, were discharged in quick succession, which he had no doubt were loaded with ball, and supposed some lives were lost. In a few minutes after this fire, several gentlemen came up to General Stricker’s, and urged with much warmth a call of the militia. General Stricker told them he had no power to order out the militia, without an application from the civil authority. They, however, continued to press a call, and some of them observed that it was an ex-

their case, which required prompt measures, without waiting for an application from Magistrates; when this deponent observed, that some of the gentlemen suffered their zeal to get the better of propriety; and still persisted in urging the general, after he had told them that he had no authority, to issue an order. Although anxious that a military force should be ordered out, he was equally anxious that General Stricker in taking a step which was likely to produce much bloodshed, should be justified by the laws when he did it, particularly as two magistrates could be had, he supposed, without any difficulty; he therefore recommended to General Stricker to persist in his determination not to order out the militia, until required to do so by proper authority. General Stricker then told the gentlemen at the door, that he only waited for two Justices to give the requisition, and an order should be issued. Mr. Samuel Young was standing on the steps, and observed that he would be one who would sign. Mr. Thomas Buchanan then immediately remarked that Mr. Young was there, and Judge Scott (who was on the steps) could also sign. The Judge expressed his willingness to sign a requisition, but recommended to General Stricker to require two "Justices of the Peace" to sign it, as he had doubts whether he was a Justice of the Peace within the intent of the Militia Law. General Stricker then requested some of the gentlemen on his steps, to go for a magistrate, which deponent believes was done by several persons. He soon afterwards requested this deponent to go for the Brigade Major, which was immediately done, and in a short time he appeared. Deponent recollects having seen Mr. Thomas W. Griffith at the house, but cannot precisely state when—he does not think, however, that any other magistrate was there, when Mr. Griffith was. He also saw Mr. Ferdinand Gourdon there—but believes no other magistrate was at the same time there, and that no requisition was prepared when either of them was there.

As soon as deponent returned from Major Calhoun's, (the Brigade Major) he saw Mr. Dougherty, a Justice of the Peace, and went with him into General Stricker's house, where he also found Mr. Brice and Mr. Gwynn, as he believes. Deponent then wrote a requisition, which Mr. John Dougherty signed without a moment's hesitation. No other magistrate was then present. General Stricker's orders were then prepared by this deponent, under his direction, the recital "Whereas, &c." being inserted by the advice of some gentleman, whom this deponent believes to have been William Gwynn, Esq. when the order was ready, General Stricker signed it, without waiting for a second magistrate. Both these instruments have been published in the general's report to the commander in chief. They were approved by all the gentlemen in the room to whom they were shown; and this deponent perfectly recollects their having

been submitted to the inspection of William Gwynn and Nicholas Brice Esquires, and approved by them, after a slight alteration suggested by Mr. Gwynn, and approved by Gen. Stricker.

It may be proper in this place to state, that when the requisition was about to be prepared, as well as deponent can recollect, Gen. Stricker requested some gentleman, whom he believes to have been Mr. Thomas Buchanan, to go for Major Barney, and request him to come down to him—he also sent for Captain Horton. Whilst the gentlemen were gone for those officers, the requisition was prepared and signed by Mr. Dougherty. No other magistrate being there, Gen. Stricker requested this deponent to go for one—he accordingly went to the door and asked aloud if there was a magistrate among the crowd who were before the door? Not finding any, he went to Mr. John Aisquith's whom he did not find at home, but understood he was at the house attacked, number 45. Supposing that to be the most likely place to find magistrates, this deponent went there, and after looking about a short time and not seeing any, he called out and asked if there was a magistrate there.—Several of the mob, as deponent supposed they were, immediately turned round, and gathered about him, in such a way as led him to believe they meant to ascertain his object in going for a magistrate, upon which he determined to search elsewhere. Whilst there he heard the window glass frequently crash from stones, and other things, which were thrown at the house; he also heard some person loudly remonstrating with the mob, whom he supposed, from his voice and *pronunciation*, to be Mr. Ferdinand Gordon, a Justice of the Peace.

When deponent returned to General Stricker's, he found that no magistrate had been there to join Mr. Dougherty in signing. Major Barney, who it will be recollected had been sent for in order to avoid any unnecessary delay before the requisition was written, now appeared, and General Stricker requested him to go out and summon as many of his squadron as he could collect, and by the time he returned, he hoped the difficulty about magistrates would be removed. Major Barney did accordingly leave the house, which was as nearly, as deponent can recollect, about half past ten o'clock; and returned soon afterwards, saying, that he had summoned as many of his men as he could at that hour of the night, and had given the necessary orders to his officers. Whilst Major Barney was absent, Mr. John F. Harris came in, who, upon hearing the requisition read, signed it without hesitation. Mr. David Felton who was there at the same time with Mr. Harris, declined signing it, and stated as a reason for it that he was to head the cavalry, or accompany them to the house attacked. As soon as the requisition was signed, and Major Barney returned, the orders which had been signed for a long time before, but which could not be issued for want of that authority

which had been so much sought after and was at length obtained by General Stricker were delivered to him.

For a considerable time after the delivery of Major Barney's orders to him, he remained at General Stricker's house, during which time, this deponent went at least three different times, at the Major's request, to the corner of Market and Charles-street, where the cavalry assembled, in order to ascertain the number of men who had collected. When the Major supposed a sufficient number had met, he went up, and this deponent heard the following address from him: "You are not to draw your swords without orders from *me*; and when you do *draw* them, remember you are to *use* them like men"—or words to that effect. He then went down at their head. The number of troops were between twenty and thirty. The hour deponent supposes he went down was between twelve and one. After they passed the house of General Stricker this deponent saw no more of them till day-light. A little before day, General Stricker sent Dr. Alexander for Col. Small, and requested this deponent to go for Col. Harris. Seeing Capt. David Warfield come up Charles-street, deponent told General Stricker that Warfield's company, if ordered out, might be depended upon—that they would turn out willingly and promptly—he then requested Capt. W. to order out his men as soon as possible, which he did, and about twenty-seven or thirty men assembled. When Col. Harris came, Gen. S. requested him to go down to the house and endeavour to take the cannon from the rioters—the cannon belonged to Col. H's late company. This deponent accompanied him for that purpose; but when they got to the cannon they did not see a person that they knew, and could not succeed in getting it. Col. H. then went for some of his men to take it, and deponent saw him pass down street with a number of them, but he does not believe they succeeded. During the night Gen. S. endeavoured to collect men to carry into effect any determination of the civil authority, and this deponent heard him frequently express his anxiety, that those who were in the house should be removed to some place of security before the transactions of the night should be generally known, and before it was known on the Point. This deponent heard him request Mr. Fulton, and others, not to be out of the way, and knows that he sent for Judge Scott, and requested some of the gentlemen who were at the house to collect as many of the magistrates as they could. About day-break, Major Barney came up to Gen. Stricker's house, and told him that his men were becoming impatient, that several of them had actually left him, and others said they would not stay much longer, and urged the General to hasten the officers who had been ordered to assemble their men. Major B. went to Gen. S. and returned again—he at last said, that many of his men were *leaving*, some *leaving*, and others whose occu-

pations required their attention early in the morning, and that he could not much longer detain them—that his squadron had dwindled to a mere guard of eight or ten men—that the mob were getting impatient, and that whatever was to be done must be done immediately. Gen. S. requested this deponent to go up and hasten Capt. Warfield—deponent went to him twice at Gen. S.'s request. At length, about thirty-five men appeared under the command of Col. Small, and drew up before the house which had been attacked. Deponent frequently heard Gen. S. call upon all well disposed citizens—upon all persons attached to the third brigade to go home and get their muskets and fall in the ranks. About twenty or thirty in consequence of these appeals fell in, and some others went into the square. This deponent saw Col. Small, Major Barney and Capt. Stevenson, use their endeavours to prevent the mob from crowding on the few cavalry and militia who were there. After waiting there a long time, deponent supposing it would be a considerable time before they would be able to march, went up Charles-street, and having mixed a good deal with the mob, and heard their violent imprecations, he could not but feel anxious about the issue. A short time after the square moved on, and as they passed, deponent saw in the square Gen. S. Mr. John Montgomery, and he believes William Merryman, Esq. then sheriff; they were surrounded by an immense assemblage, whose loud and violent shouts, and sanguinary exclamations against those who had been in the house, convinced this deponent that it would be impossible to protect them to the prison. No one, who was not a witness can conceive the danger to which both they, those who were in the square with them and the guard were exposed to; after they had passed, deponent went to Judge Scott's, where he remained some time, when he was informed that they had arrived at the goal, almost unhurt.

In the afternoon of the day, deponent, at the request of Dr. Birkhead, went with him to the house No. 45, to endeavour to save some of the property, but their efforts were unavailing; he was also there about twelve o'clock, where he witnessed a wanton destruction of furniture and other kind of property.

To the sixteenth Interrogatory, he answereth, that he has no reason to suppose any such attack was designed; he has heard, but does not know that any call was made on the civil authority, and he believes that the call on the military made by Mr. White, and afterwards by other gentlemen, without legal authority, were the only calls except that made by the magistrate, which, as deponent before stated, was not only promptly complied with, but a requisition was actually prepared at Gen. Stricker's house, and magistrates sent for and solicited to sign it. To the 17th Interrogatory, deponent answereth—That he has before answered it in part—he knows of no other orders to Major Barney, and

does not believe any verbal or other orders were given to him.

18th. To the eighteenth Interrogatory, deponent saith, that the orders issued by Major Barney were obeyed in the manner stated in his answer to the 13th interrogatory. There were, as this deponent believes, no orders issued to any other officers but Major Barney, until the morning of the 28th, when Cols. Smart and Harris were sent for; he knows of no disobedience of officers except from report—he does not believe that any investigation has been ordered into the conduct of any officer by the brigadier.

19th. To the nineteenth Interrogatory, deponent saith, that he knows nothing—he did not know that any collection of people had taken place until White came, as before stated, to Gen. Stricker's house.

20th. Deponent saith nothing.

21st. Deponent was not present; he therefore knows nothing of the horrid catastrophe which took place at the gaol, or of any occurrence there except from report.

22d. To the 22d Interrogatory, deponent saith, that about noon of the 29th July, Major Heath and Col. Sterett came to Gen. Stricker's, with a requisition for militia, for the protection of the prison—that Gen. S. was not at home. Deponent had a copy of the order issued to Major B. in his pocket-book, and at the time he wrote from it an order to Col. Sterett, whose regiment was thereby ordered out. Soon after Gen. S. came in, he conversed, with Col. Sterett, who had gone out for him—he directed deponent to draw an order to Major B. for his squadron of 100, and to Col. Harris to take care of his guns, and hold his men subject to further orders—the whole were placed at the disposal of the Mayor. As to that part of this interrogatory which relates to the obedience of the military, deponent saith, that he went into Gay-street where the regiment was assembling, at about four o'clock, P. M. where to his astonishment he saw but *thirty* men out of a regiment which has turned out eight hundred men, and generally three or four hundred, and only *three or four* dragoons, some of whom were *volunteers*. This deponent has always understood, and believes that every exertion was made by Col. Sterett and Major Heath to collect their men.—As to the reasons for the disobedience of the men, deponent can only judge from report, and from the certificates of the officers of that regiment, returned with a report made by the brigadier to the commander in chief. This deponent believes that they were sent to the gaol, but were dismissed by Gen. S. after consulting the mayor. As this interrogatory calls for the reasons which influenced the officers in dismissing them, deponent deems it proper to state the reasons which he has often heard Gen. S. assign for it. That he considered the employment of a military force as a remedy only to be applied in cases of ex-

frame necessity, when the civil authority was totally unable to execute the laws; that when they were employed, they were only in aid of, and in subordination to, the civil authority, and from the moment the magistrates were in their opinion competent to preserve the peace, the further employment of a military force, in a free country, was not only unnecessary, but not justified by law, and dangerous to the liberties of the people.— That when he went to the gaol, and saw but a small assemblage, not at all disposed to be riotous, he considered the further employment of a military force as unnecessary; and when he returned and saw but about *thirty-five* men, he thought, that if they were marched out to the gaol, they would attract an assemblage of people, and he calculated rather to encourage than to repel an attack. That it was the impression of all who had been at the prison, that no danger was to be apprehended that night; that the mayor was of that opinion, and that after consulting him, he deemed it his duty, when the civil authority deemed the further employment of a military force unnecessary, and when he also thought it unnecessary, to dismiss them. That Major Heath also thought the employment of the small force which assembled, unnecessary.

23d. To the twenty-third Interrogatory, deponent saith, that on the evening of the 4th August last, he went down to the corner of East-street, and Holliday-st. where he saw about forty or fifty of the Baltimore Independent Blues—that he understood they were ordered out to protect the post-office—that he went to the post-office a little after dark, where he saw a collection of people before the door, one of whom was violent in conversation with the others. That Major George E. Mitchell went up to him, and took hold of his hand, saying, he wished to speak with him, and in that way took him off, and the crowd followed. That late at night, deponent again went there, and saw posted in the different streets, near the office, detachments of men, and a large collection or mob before the door. He heard General S. tell a man who appeared to be boisterous, that he must go away—the man not moving, he told the mayor he must be apprehended—the mayor came up and said, he must be forced from the door; upon which a file of men were ordered to drive away the whole collection. The men stepped forward with their bayonets, and this deponent, who was standing among the crowd, fell back with them, and considering it the duty of every good citizen who did not wish to sanction the outrageous proceedings of the mob, to be at home, he went away, and did not return.

24th. To the twenty-fourth Interrogatory, deponent saith, that he knows of nothing more relative to the said mobs and riots, or relative to the misconduct of any officer. With regard

to those officers of whom he has spoken, and whose conduct came more immediately under his observation, during the ever to be regretted transactions of the 27th and 28th of July last, he deems it his duty to state, as he now does, under the solemn obligation of an oath, that Gen. Stricker evinced throughout the whole time, an extreme anxiety to do his duty—that major Blaney was equally anxious, so long as his conduct fell under the observation of this deponent—and if he may be allowed to express an opinion, he has no hesitation in saying, that the fatal catastrophe which concluded that eventful day, is to be attributed to other causes than a neglect of duty on the part of those officers.

25. To the twenty-fifth Interrogatory, this deponent answereth—That he has heard, that when the attack was made on the house in Gay-street, John Scott, Esq. Chief Justice of the Court of Over and Terminer and Goal Delivery, did summon a number of persons to assist him in the preservation of the peace; among the rest, this deponent has understood he summoned Charles Burrell, Esq. and Mr. Isaac Aldridge, who, he believes, obeyed the summons. He does not particularly recollect whether he heard of any summons by any civil officer, at any other period, or on any other occasion.

26. To the twenty-sixth Interrogatory, this deponent answers—That he has understood, and believes he derived his information from Mr. Montgomery, the attorney-general, that an application was made to Judge Scott, to bail some of the persons confined in the gaol on the 28th of July—that the application was made by Messrs. James P. Boyd, Walter Dorsey, and others, as deponent understood, on behalf of some of them—that the application was not granted, for reasons which are stated in deponent's answer to the subsequent interrogatory.

27. To the twenty-seventh Interrogatory, this deponent saith—That he understood, as before stated, that Mr. Montgomery was at Judge Scott's soon after the application was made—that he, Mr. Montgomery, advised the Judge not to bail them on that day; that he considered them perfectly secure from all danger where they were, and that if he bailed them, it would be likely to excite a further commotion. He thinks Mr. Montgomery added, that he told Judge Scott that if he bailed them that day, he did not think his, (the Judge's) house would be safe, such was the state of the public mind, the worst consequences would ensue. Deponent understood also from Mr. M. that Mr. John Furber came in while they were discussing the propriety of bailing them, and concurred with him in opinion. The Judge then acquiesced. This deponent has never heard that Edward Johnson, or General B. were consulted upon the application for bail, after they were committed.

20. To this Interrogatory, deponent saith—He has frequently heard General S. say, that he ordered out the fifth regiment, because it was the cent. regiment attached to the brigade and much the largest. This regiment has paraded as many as eight hundred men, and seldom turns out less than three hundred.

RICHARD B. MAGRUDER.

Waltham, December 21st, 1812.

Interrogatories to Richard B. Magruder.

1st. What was the situation of General Stricker's family during the transactions you have stated? Do you know the reason of General Stricker's leaving the gaol before the attempt to break it by the mob?

2d. Had you any conversation, and of what nature, with Mr. Walter Denny, on the morning of the 28th July, with respect to the taking the persons who had been that morning taken to gaol? State such conversation.

To the first of the above Interrogatories, this deponent saith—that Gen. Stricker's house is but a short distance from the house which was attacked—that all the discharges of guns were heard there—that some of the wounded were carried up the street by his house—that there was during the greater part of the nights of the 27th and 28th July, and during the morning of the 28th, a considerable collection of people before the door; that frequent calls were made at the house for militia; that scenes such as these were calculated to excite much anxiety and uneasiness in the female part of any family, and particularly in that of Gen. S. whose wife has been for a long time in a bad state of health, which was increased by the constant and continual uproar and confusion in and about the house. Deponent does not know of any particular reason which induced Gen. S. to leave the gaol, further than what he has stated; he presumes, however, that he would naturally hasten to his house, when he considered his services no longer necessary.

Deponent being interrogated as to Gen. Stricker's having defended himself, saith—that after he had returned to his house, and had been there a considerable time, a person came to the house and stated, that the gaol was about to be forced, and wanted a call of the militia; a few minutes afterwards, a number of other persons called, and said that the gaol was forced—Gen. S. having ordered out a militia force, who did not obey him, and those few who did obey having been dismissed for reasons before stated, could not do more—he had ordered out a very large force, and found that a general apathy prevailed, and that even those who had been so urgent for a call of militia, could not be found ready to turn out when their services were necessary. When, therefore, the account was brought that the gaol was forced, it was too late, even if a disposition to turn out had

DEPOSITION OF

shown itself—and he, by the advice of some of his friends, retreated into the back parlour of his house, and requested that persons calling there might be told that he was not within. This, however, was not done until he understood that the gaol was forced.

Depoient further states, that during the night, at what moment deponent cannot ascertain, two gentlemen called at Gen. Stricker's house, and called him from his bed—they said, that they had just received accounts that not more than one or two had been killed at the gaol, and that if he would furnish a guard, or go out himself, with the physicians, they were ready to attend him, and might, perhaps, be able to get them from the mob, and to save some of their lives; Gen. S. knew it was impossible to furnish a guard; he had seen that, not until the gaol had been actually forced, and when it was too late, did the friends of those who were confined, offer their services, and knew, that as an individual he could not do more with the mob than any other person—he had found that he had no influence with them, and he could not collect men to enforce obedience to the laws; he told the gentleman who spoke, who, deponent believes was Mr. John E. Dorsey, that he had been up the whole of the preceding night, that he had been harassed in mind, and fatigued in body, during the whole day; that his family was in a situation that he did not feel himself authorized to leave them; and that he was convinced his efforts would be unavailing. Upon Mr. Dorsey's pressing him further, he said, that he was so much borne down with his exertions that day, that he could not walk out to the gaol. Mr. D. offered him a horse—he then came from the window, and as he passed along, said it was useless, but he would go; when Mrs. S. who was the person to whom he alluded when he told Mr. D. the situation of his family, entreated him to remain. He then went to the window again, and told the gentlemen, that "such was the situation of his family that he *could* not go." The gentlemen then went away. The above was the substance of the conversation as well as deponent can recollect.

Qd. To the second Interrogatory, deponent saith—that he recollects on the morning of the 28th of July, having remarked, in presence of Walter Dorsey, that he understood they were going to the gaol—this was before the militia went to the house attacked. Mr. D. asked this deponent what they were to be taken to the gaol for: that they had committed no offence, and were entitled to bail.—Deponent replied, that he understood that they would be taken there as a place of safety for a short time; that it was thought impossible to protect them to and from any Judge's house; and that after the mob had dispersed, they could be bailed.—However, that would rest with the civil authority. General S. said, if they were not carried to the

gaol, he did not know where else they would be safe. This conversation took place on Gen. Stricker's steps.

R. B. MAGRUDER.

Richard B. Magruder answers to the Interrogatories which were put to Mr. Kell, as follows:

To the twelfth Interrogatory, he saith--That he did attend the trial of some of the rioters; of Kenelom White, and Doctor Lewis, he recollects particularly. Mr. Montgomery opened the case of White, by stating to the jury the enormity of the offence, of breaking a sanctuary like the Gaol, and committing murder on an aged man and defenceless prisoner--he then read the law, and stated that there was no difference of sentiment between the counsel as to the law; that if certain facts were proved, they must find him guilty. He then examined the testimony, which was so clear, and proved his guilt so completely, that his own counsel proposed to submit his case, without a defence, to the jury. Mr. M. said he would readily submit a case which was so clear that he did not suppose it possible for a jury to hesitate. He then told the jury that he would barely read a passage of the Penitentiary law, which makes it necessary for the jury to specify whether it was murder in the first or second degree--and the jury retired. Deponent did not believe it possible that he could be acquitted, and Mr. M. after he was acquitted, told deponent that it was useless for him further to prosecute before that jury--he must wait till the next pannel was returned--that is, till the next court.

13th. To the thirteenth, deponent saith--That he saw Mr. Montgomery submit the case of White without argument; but he did it at the request of the counsel for the prisoner, as deponent believes; the testimony was so clear, that deponent really thought it would have been superfluous to address any remarks to the jury.

14th. To the fourteenth, deponent saith--That he had a conversation with Mr. M. as to White, and others, in which he stated, that he did not know how it was possible for him to convict any of the rioters; for after the testimony which had been offered, no man concerned in the outrage at the Gaol could be convicted--that it was impossible for testimony to be stronger.

R. B. MAGRUDER.

DEPOSITION

OF

ISAAC DICKSON.

ISAAC DICKSON, being first duly sworn—

Inter. first. Were you present at any conversation between John Wooden and General Stansbury, at the house of the latter, upon the subject of the trial of Mamma? If you were, state the same fully.

Answer. In September last, being the Brigade Inspector, as I was going down the neck for the purpose of inspecting the 41st Regiment, I stopped at Govan's-town, and was accompanied from thence by Mr. Wooden, at my own request, to General Stansbury's house. The regiment met in a field near General Stansbury's house. I observed to Mr. Wooden, that he might as well ride down with me to the house; that perhaps he would get an invitation to dine. When we went in, some conversation immediately took place between Mr. Wooden and General Stansbury. Mr. Wooden observed to the General, "I am told you were summoned in the case of Mamma, but you did not attend?" and asked, whether he was summoned for or against him. I don't recollect the General's reply—but he stated, that he was at the Gaol in company with a Colonel Schuet, and that while sitting on their horses, some person, who to the best of this deponent's recollection, was Mamma, and who was out in the yard, came and held his horse, from which circumstance he, General Stansbury, inferred that Mamma was innocent. He then observed, that he went into the Gaol; when he got in there, he saw some person having hold of an old man, but could not tell whether it was Lingan or Lee; and that the person was in the act of raising him with one hand and striking him with the other—he then stepped up to the man, and either took him by, or touched him on the arm, and bid him quit beating him, for that he had beat him enough—He observed then, that the man desisted, and to the best of this deponent's recollection, he said that he placed himself between the man who had been beat, and the man who had been beating him. He further said, that he thought himself instrumental in saving that man's life, or in preventing his being further injured. I was in and out on the duties of inspection during the conversation, and there was I presume a good deal of conversation which I did not hear. General Stansbury further stated, that after the prisoners had been beat, they were thrown together like a parcel of hogs, and from his countenance and manner, he

seemed to be struck with horror at the circumstance. He further said, that having remounted his horse, he rejoined Colonel Schott, and fell in company with Doctor Mitchell, who was likewise on horseback; that while standing together, Mr. Thompson ran past them, pursued by a number, and fell into a gulley that was near them; the pursuers threw themselves upon him, and Mr. Lemuel Taylor came forward in order to rescue Thompson from their hands; that Doctor Mitchell proposed to the General that if he would hold his horse he would dismount in order to assist Taylor to rescue Thompson—that he accordingly did so, and mixed with the crowd, but came back in a few minutes after, declaring that he had received a number of severe blows on his arms and shoulders.

Inter. second. Did the statement of General Stansbury proceed from a disposition to excuse himself from any accusations which had been made against him in the public prints.

Answer. From the manner of the General, the conversation appeared to be intended on his part to be exculpatory from some charges which had been made against him, as the deponent believes, in the news-papers.

Inter. third. Did he reprobate the conduct of the mob at the Gaol.

Answer. He had frequently, in conversation with me, reprobated the conduct of the mob at the Gaol as barbarous and inhuman.

I. DICKSON.

Inter. fourth. Had you any conversation with General Stansbury upon the subject of the piece in the Federal Republican, charging him with an expression of a wish, or an opinion, that the persons in the house in Gay-street ought to have been destroyed? if you had, did he admit it?

Answer. Yes—I had such a conversation; he said “it was a lie,” he had never used such an expression.

I. DICKSON.

DEPOSITION
OF
ROBERT C. LONG.

ROBERT C. LONG, being first duly sworn--

Answer to first. I did not witness the transaction—I saw the place a few days (I do not recollect exactly how many) after the destruction of the house. The front building, which was of wood, was irreparably destroyed; the back building which was of brick, was also much injured.

Answer to second. I was not there, of course could have no certain knowledge on either of these points.

Answer to third. I have no knowledge as to this question.

Answer to fourth. I have no certain knowledge as to this question.

Answer to fifth. I know nothing of this but from report after the destruction of the office.

Answer to sixth. I have no knowledge as to these points.

Answer to seventh. The house was old and very much out of repair; it would have stood for a considerable time, and might, in consequence of the stand, have been let to some advantage; under these circumstances the damage might possibly be five hundred dollars—I speak as to the house, of the property therein contained I know nothing.

Answer to eighth. I have no knowledge as to this question.

Answer to ninth. I know nothing but from the report at that time.

Answer to tenth. I have no knowledge as to this question.

Answer to eleventh. I have no knowledge but from reports as to the destruction of some house on Federal Hill, nothing farther.

Answer to twelfth. I have no knowledge but from such reports as were circulating at the time.

Answer to thirteenth. I have no knowledge of any such combination; I heard of threats.

Answer to fourteenth. I have no knowledge as to this question.

Answer to fifteenth. I knew nothing of the transactions till the next morning; when, going down street, I saw an immense crowd, and while a person was informing me of the affair, I observed a company, with arms, assembling at Godby's, for the purpose I understood of protecting those in the house; but as whose instance I knew not.

Answer to sixteenth. I have no knowledge as to any of these points.

Answer to seventeenth. I know nothing on these points, except that Mr. John Dougherty, and Mr. John Harris, (magistrates) told me, they had joined in the order or call on the military, and what I saw published.

Answer to nineteenth. I know nothing as to this question.

Answer to twentieth. I have no knowledge of any plan of proscription; I heard of lists; I know there was considerable alarm and uneasiness in the minds of several citizens.

Answer to twenty-first. I was not present, and have no knowledge but from report.

Answer to twenty-second. I saw an artillery company, I understood to be Capt. Harris's, proceeding up Chatham-street towards the upper part of the city, in the evening prior to the attack on the prison. Of the other points I have no knowledge, except from report and what I saw published.

Answer to twenty-third. I was not at the post-office that night; I did hear the rumour of an attack—passing by in the evening, the post-master in conversation told me, he did expect it would be assailed, but know nothing further but from report.

Answer to twenty-fourth. I have no certain knowledge of any facts relative to the "mobs or riots," other than before recited, or such as were published in the papers. I know that the city was in much confusion, and I thought that property and personal safety were held by a very insecure tenure for a considerable time. I have no certain knowledge of the misconduct of any officer, civil or military, or any other person, except the rumours at the moment, and immediately after the transactions, and the publications on the subject.

ROBERT CARY LONG.

Being in company with Mr. James Mosher, Mr. William Jessop, and Mr. William Gwynn, Mr. Jessop mentioned to us a conversation that passed between the sheriff of Baltimore county (Mr. W. Merryman) and him, relative to Gen. Stansbury, immediately after which Gen. Stansbury joined us. After some observations from Mr. Gwynn which grew out of what Mr. Jessop had just repeated—Gen. Stansbury did say that he had said, to Mr. Johnson I think, and he would say so again, that the persons in Charles-street had made that place their fort, and that it ought to have been made their graves, calling them a set of Tories, or tory rascals. That every man, or that no man in the county but would say the same; that he would point a cannon against it himself. On some farther observations from Mr. Gwynn—he said, that the trials could be removed to Montgomery county—this is as nearly as I can recollect the words that passed or to that amount. I think the above conversation took place about a week after the attack on the prison—two weeks.

ROBERT CARY LONG.

DEPOSITION

OF

WILLIAM JESSOP.

WILLIAM JESSOP, being first duly sworn, saith.

To the first Interrogatory. I answer. I knew nothing of that transaction until next morning.

Second Inter. I was not there, nor did I hear any thing respecting the destruction of the office until the following morning.

Third Inter. I have no knowledge as to this.

Fourth Inter. I know nothing as to them.

Fifth Inter. I do not recollect hearing of any such insinuations prior to the destruction of the said office.

Sixth Inter. In course I have no knowledge as to this.

Seventh Inter. I have no knowledge of the property that may have been destroyed, if any, neither can I form any correct estimate of the value of the house, as I do not remember ever being in it but once, and then paid no attention to the building.

Eighth Inter. I do not know.

Ninth Inter. I have no further knowledge than common report.

Tenth Inter. I do not.

Eleventh Inter. I do not recollect of any.

Twelfth Inter. I do not.

Thirteenth Inter. I do not.

Fourteenth Inter. No further than report.

Fifteenth Inter. I was not present at the attack made on the 27th of July last on the house in Charles-street, in the city of Baltimore. I think it was on the morning of the 28th, about seven o'clock, I went to Charles-street, where I saw Major Barney, with some of his troop, in the street, opposite to the door. I did not stop more than one or two minutes, but went on to my ware-house, and I believe I have not been there since.

Sixteenth Inter. To all this Interrogatory I answer no; I have no knowledge of either.

Seventeenth Inter. I have understood that Major Barney's troop was ordered out by Gen. Stricker, but have no further knowledge of the fact. I saw Major Barney with some of his troop near the house in Charles-street.

Eighteenth Inter. I know nothing of myself as to this question.

Nineteenth Inter. I have not.

Twentieth Inter. I have not.

Twenty-four Inter. I was not at the gaol at the time of attack. I therefore can have no personal knowledge of the occurrence; but I felt more than common anxiety for some of those who were confined in the gaol, and said to be murdered, I went to the gaol in the latter part of the night, in order to make some inquiries respecting those men. I saw two men in the gaol; they were strangers to me, but appeared to have some acquaintance there. One of those men, on my making some inquiries, with a candle in his hand conducted me to a back room, where lay a man dead. I took the candle from his hands, and examined the wounds on his head, which were several desperate cuts. I asked the man who this was? he answered in a way which led me to believe he did not know who it was. I then supposed him to be Gen. Lee. I drew down his clothes, raised his head, and found him in the most decent manner the place would admit of; and when I was about to leave the room, the man who accompanied me, appeared anxious that I should take the corpse away, saying, the gaol would be crowded by day-light, and he did not know what further violence might be used. I then asked him if any others of them were killed? he answered none were dead, but several carried off in a dying situation. I asked him where they had taken them to? the other man, who then stood at the back-door, answered roughly, to "Hell;" this prevented my asking further, and walked out of the gaol; and on the front steps I met a man as if just coming in, who appeared to be fully acquainted with every part transacted in the course of the night; and on my describing some of those particularly which was said to be murdered, he assured me they were not dead, but considerably beaten, and was carried off, and he believed safe. I recognized this to be a person who was brought before the Grand jury, some two or three years back, for aiding in tarring and feathering a man by the name of Beatty, who lived in South-street: he likewise showed me the places where several were knocked down, &c. and appeared to be cheerful and prompt in every part of his information, as if part of the merit ought to attach to himself.

2d. I do not know what orders the militia had, or if ordered do I know by whom, nor who was ordered; but I saw in the afternoon of that day, I think about two to three of the militia assembled in Gay-street; I think Capt. Samuel Sterett was with them. I was there; they informed me they were to guard the gaol that night. I felt gratified; but in the evening of the same day I was informed they were dismissed; and on returning home I saw Gen. Stricker, who informed me with cheerfulness, that he had visited the gaol, and found every thing quiet, and but few people there; he trusted in God it was all over. I answered, I was doubtful, unless a strong guard would remain at the gaol. When I arrived at home, a Mr. Robinson, who lives in

DEPOSITION OF

Howard-street came by, and on my inquiries from him, he answered, he feared many of them would be killed that night—then mentioned to him the conversation I had with Gen. Stricker, and his opinion—Robinson said he knew better, and if I will go with me, I will shew you them in squads about the park, where they can see the gaol, and not be seen themselves; and have mixed with them, and heard them swear that every man should be massacred that night. It being now nearly dark, I went to get Capt. Harris with his men, as many as we could get, to go to the gaol; but before I found Harris, the bells rang to notify the attack. I returned, and met some persons coming from the gaol, and informed me they were all killed. On the next morning early, I met Gen. Stricker; his first salutation was, well, Mr. Jessop, this is a most unfortunate affair. I promptly answered, and perhaps with some warmth—"Yes Sir, and who may we blame for it?" why, who? "why you sir."—How in the name of God am I to blame. Why did you dismiss the militia? why not let them guard the gaol and prevent such outrage? Gen. Stricker answered, that he did call on the whole of the 5th regiment, and how many do you think I had turned out—I answered, that I supposed I saw in Gay-street thirty soldiers. Gen. Stricker then observed, that there was only twenty-five turned out of the whole regiment. I said, he felt grateful this morning that he had not carried them to the gaol; for if he had, every man would have been massacred, for double that number could not have stopped the mob. There I must say, during this conversation Gen. Stricker appeared mortified and distressed at the circumstance.

23d *Inter.* I was not at the post-office on the night the expected attack, nor, of myself, do I know any thing.

24th *Inter.* Know nothing relative to the mobs or riots in the city of Baltimore, more than before stated, or the misconduct of any of the officers, civil or military, or any thing relative to the same, further than some expressions from one of the military officers, made in my presence, and some expressions made by an officer of the gaol, told to me by a person who heard him express them, which neither of them is proper for me to mention here.

Interrogatory, put by Mr. Lecompte, one of the Committee, to Mr. Jessop.

Inter. What passed in conversation between you and Gen. Stansbury a few days after the attack on the gaol?

Answer. I think it was on the Tuesday, or Tuesday week, after the affair at the gaol; in conversation with William Merriyman, Esq. he informed me, that on the day of the attack, he felt very much alarmed for the safety of the persons therein, and did apply to Gen. Stricker, to the Mayor, and to Col. Small.

He who promised him a guard of militia; but when the evening drew near, and no militia appeared, his alarms increased, and he determined to get assistance by summoning the citizens; and on his applying to Gen. Stansbury to assist him, Gen. Stansbury replied "No, I will not! for they are a set of tory rascals, and every man of them ought to have found his grave in the house in Charles-street; but now, I suppose, you want a jury trial, and Hanson will remove it to Montgomery, and a pretty trial it will be." I would observe, that Merryman has since said, he did not consider the application to Stansbury to be a summons.

In the course of two or three hours after the above conversation with Mr. Merryman, I was relating the said conversation to two or three other men, (and with some hesitation of belief) when Gen. Stansbury came to us, and one of the company related what I had then been saying; Gen. Stansbury said, he had said so, and again repeated it, or words to the same effect.

Gen. Stansbury and myself, then walked together to Old-Town, continuing in conversation on the same subject. I asked Gen. Stansbury if he had any knowledge of the attack on the gaol before it commenced; he said, he had not; but was on his horse, and on his way home, and met Col. Shultz, who informed him that he had heard that it was expected an attack would be made on the gaol that night, would he go back and see; that he, Gen. Stansbury, in company with Col. Shultz, did proceed to the gaol, and on their way, or near the gaol, met with Col. Blays, and got to the gaol about the time the attack commenced. The mob cried out, "here comes the light-horse, fire on them!" and we then wheeled round and rode off some small distance. I asked him if he did not know they had no firearms; he said, they soon returned again—I did not understand him that he did alight from his horse at all, as he had no intention of venturing himself in a mob unarmed. Several times, during our conversation, Gen. Stansbury disapproved of the conduct of the mob.

DEPOSITION

OF

DANIEL MURRAY.

Interrogatories to Mr. Murray.

21. Were you present at the house in Charles-street, from which the Federal Republican was issued, and which was attacked by a mob? if so, state what conversation or assurance of protection took place between the persons in the house and any of the civil or military officers. Did you notice the conduct, or hear the speech, of Major Barney? if so, relate the same.

22. Were you in the Gaol? and did either the Mayor or General Stricker give any assurances of safety? and what were the same?

23. Did you hear, or have you understood, that upon the arrival of Major Barney before the house, or soon after, a communication took place between him and any gentlemen in the house, and whom? What was the import of that communication? Did or did not General Lee, at any time during the night, address himself to Major Barney, and request him to set a guard in the house? or did any other gentlemen in the house, advise or request the Major so to do?

24. You are requested to state your whole knowledge of the plan for occupying and defending the house in Charles-street—when and by whom was it first formed? At what time did you receive the first information with respect to it, and concur in its support? Do you know of any applications to others not in the house, and whom, to unite in it? and what were the details of the plan?

DANIEL MURRAY, being last duly sworn.

I was in the house in Charles-street; but from the station which I had taken early in the evening, and which I saw no opportunity of quitting with propriety, I was precluded from taking any part in the conversations which were going on between the gentlemen in the house and the civil and military officers. I was in the room with those gentlemen a few moments only, and have no distinct recollection of any conversation which passed.

I cannot state precisely the words in which Major Barney addressed the mob; I recollect his addressing them as friends, and that the conciliatory nature of his address emboldened them rather than suppressed their riotous dispositions.

I was in the Gaol, and distinctly recollect, that the Mayor and General Stricker came in about three or four o'clock in the evening, when it was observed to them, that we had, from a variety of different sources, received information that an attack was contemplated on the Gaol by the mob, and that it would be proper to put arms in our hands. The Mayor replied, that every arrangement had been made, which was necessary, for the defence of the Gaol; that the military was ordered out to surround the Gaol; that the civil authority, aided by as many citizens as were necessary for the purpose, would be stationed on the inside, and pledged himself, in the most solemn manner, that he would suffer himself to be trampled under foot before a man would enter. General Stricker was present, and seemed to confirm the statement made by the Mayor of the arrangements made for the defence of the Gaol, which appeared, I believe, to every gentleman present, to have been concerted jointly between them, and which they both seemed equally pledged to carry into execution.

I know nothing on the subject of the third Interrogatory.

4th. I knew nothing of it until on the evening before, I was informed of it, and was at the house on Monday morning, and promised to return in the evening.

DANIEL MURRAY.

DEPOSITION
OF
ELIAS GLENN.

Interrogatory to Elias Glenn, viz.

Were you present at a conversation between Mr. Gwynn and General Stansbury, soon after the massacre at the Gaol, in which General Stansbury expressed an opinion relating to the conduct of the persons who had been in possession of the house in Charles-street, and what they merited? state the whole of that conversation.

In answer to the foregoing question I declare, that I was present during a conversation which took place between Mr. Gwynn and General Stansbury, shortly after the distressing occurrence which happened at the Gaol. In the course of that conversation, General Stansbury observed, *in substance*, that he disapproved sincerely the conduct of the persons concerned in the affair at the Gaol; but that the conduct of the persons in Charles-street, who had killed and wounded many of the defenceless citizens of Baltimore, was little less atrocious in malignity than that of the persons who had committed the outrages at the Gaol; he further observed, that in his opinion, the house in which the persons in Charles-street had entrenched themselves, ought to have been demolished, and every rascal therein buried in its ruins. This, I am fully certain, is the full extent to which the conversation of General Stansbury went; he certainly never did say, that he would have aided in inflicting the punishment of death in that way upon them; and I think I know him too well to believe that he would have been concerned in any such enterprise.

Dec. 26, 1812.

ELIAS GLENN.

Baltimore County, ss.

Personally came Elias Glenn before the subscriber, and made oath, that the above statement of facts is true in substance, to the best of his recollection. Sworn before me this twenty-sixth December, 1812.

JOHN DOUGHERTY.

DEPOSITION
OF
JOHN STONE.

JOHN STONE, being first duly sworn

On the twentieth of June, at night, I heard that the mob was pulling down the office of the Federal Republican. I went down there. The front part of the house was nearly pulled down; I went through the crowd; I saw Mr. Lewis Hart pulling at a rope which was made fast to the house; I went to him and caught him by the arm, and asked him if it was him pulling away; he told me it was, and that the house ought to have been down long ago; and asked me if I was going to help. I told him I was not, that the house did not belong to the editors of the Federal Republican, and if he wanted any revenge from them he ought to take it out of them, and not tear down other people's property. I observed to him, that his conduct would not be the means of getting people to come to his Baths. I then went across the street, and saw Major George E. Mitchell standing on the cellar door opposite to the office of the Federal Republican; I took hold of his arm, and observed, "this is fine fun," that people's property should be pulled down in this manner, and that there was no interference to prevent it. I remained but a few minutes there, when I returned home. That I saw no interference of the civil or military to prevent the destruction of the office. That from the point of the office being pulled down to the fire in Charles-street, the mobs went through the city almost every night. I never saw any disposition either in the civil or military to disperse them.

Answer to the fifteenth Interrogatory.

I arrived in town about dusk on the 27th of July, and was informed that Mr. Hanson and his friends had taken possession of the house which Mr. Wagner had formerly lived in, in Charles-street, and that in case of an attack that they were determined to defend themselves. I went to the house in Charles-street about 7 o'clock, and there found a number of people collected before the house; they were throwing stones against the house. I saw there until the windows in the second and third stories were demolished. I returned home, and while standing at the door heard the firing of guns. I immediately repaired to the house in Charles-street, and was informed that guns had been fired out

DEPOSITION OF

At the house, at which the mob had ran off some distance, I saw the firing done nowise chief, they soon returned, and commenced their attack upon the house. While I was standing at the next house, I heard some of the mob say that they had just caught one of the damnd rories who had just come out of the house. Some of them exclaimed that it was Mr. Boyd—that on mentioning Mr. Boyd's name mentioned I thought it was Alexander Boyd; I then ran up into the crowd, the mob were then beating him, and had him down.—I caught hold of Mr. Boyd, and raised him from the ground, on calling him to be Andrew Boyd, I addressed myself to the mob saying, gentlemen, you are beating your best friends; I observed to them that Mr. Boyd was a good Democrat; to which they replied I was a damn'd liar, and seized me, and observed that I was one of those damnd rories who had come to protect those in the house—that at this time there were about 60 or 70 men before the house, and surrounding Mr. Boyd and this deponent; and that I observed to the mob, addressing them, gentlemen, I know that all the rest of the Boyds are Federalists, except Andrew. When I raised Mr. Boyd from the ground he was cursing the mob, and said they had stolen his pistols. This deponent requested them to move a little way from the house, as they were in danger of being fired on, which they did, and instantly Mr. Wilson, the editor of the Sun, came up with a drawn sword, and asked if that was one of the damnd rories in the house, that he would not leave the house until he had off all their damn'd heads; to which I referred the mob to Mr. Wilson, saying, here is Mr. Wilson who knows Mr. Boyd to be a Democrat, to which the mob replied, damn Wilson, who is he? I observed to them, gentlemen certainly you don't know Mr. Wilson, he is the editor of the Sun; to which they observed, that Mr. Wilson was a gentleman, and that Mr. Boyd and this deponent go. I was near the house, and until about 2 o'clock; in the mean time I saw Mr. Smith, a baker, shot nearly opposite the house in the street. I observed a man standing behind a poplar tree, within four feet of the house, who several times fired into the third story; in this deponent's opinion, he was the man that shot Gaither; that he frequently heard persons among the mob say that they were sorry it took place that night, for arrangements were making at the Point for an attack the next evening, by which they could destroy the house, and kill all in it, but does not know any of the persons who said so. That this deponent heard different persons, to him unknown, say the next day, that they were sorry that they had undertaken it that night, that at the next night they would have been prepared for them. Deponent returned to Charles-street at about eight o'clock the next morning, saw General Small there, and General Stricker standing on the threshold of the door. Deponent remarked to Small, that if

escort, at that time consisting of not more than fifteen or sixteen persons, was insufficient, to which Small made no answer. Soon afterwards the gentlemen in the house came down, and entered the square formed by the guard, accompanied by Johnson, General Stricker, and this deponent understood, by Mr. Montgomery. When the escort moved off, there were some troopers in the front and some in the rear of the escort. This deponent is of opinion, that the mob might have killed those who were in the square, but, as he understood, were repeatedly told by Stricker and Johnson that they must not interfere with the gentlemen, as it was their intention to take them in safety to the Court. He heard General Stricker address the people to know whether they would permit the gentlemen in the house to be taken to the Court in carriages, which they refused—and he returned into the house. When Messrs. Hanson, Winchester and Hoffman, appeared at the door with General Stricker, there was great pressing in the crowd, and they pressed upon them in such a manner, that this deponent thought they would have been immediately killed.

DEPOSITION
OF
WILLIAM R. SMITH.

WILLIAM R. SMITH, being first duly sworn—

Inter. 1st. Were you present at the gaol on the 28th day of July last? if you were, state all you know as to Gen. Stansbury's conduct, in refusing to obey a summons, or request, from the late sheriff of Baltimore, to aid in the preservation of the peace of the city, and the language used by Gen. Stansbury.

2d. Was the language used by Gen. Stansbury in the hearing of the mob?

3d. Did you see the Mayor on that night? state if any and what exertions were made by him to preserve the quiet of the city—or have you since had any conversation with him relating to the same?

4th. Have you heard any of the jurymen express their belief of the guilt of any who were tried, and the reasons why they acquitted them?

Answer to first Inter. I was present at the gaol on the said evening, before sun-set; and, while there, I heard the late sheriff of Baltimore county summon Tobias E. Stansbury as one of the *pares comitatus*. He replied, he was a military officer—that he did not come under the law. Mr. Merryman then requested him, as a military officer, to assist him in protecting the gaol, and the prisoners. To this, he answered, he would not protect *traitors*, and that he regretted that the house in Charles-street was not battered to the ground, and the persons in there buried in the ruins. He would rather attend them to the gallows than protect them in the gaol. Abraham Hatton was present.

Answer to second Inter. Some of those, (and especially Hugh Beard, who has since been tried for the murder of James Lin-gan and acquitted) who manifested a riotous temper, were not more than ten feet from Mr. Stansbury when he used this language. He spoke in a manner calculated to encourage their design.—Not deeming it prudent to remain, I left there.

Answer to third Inter. I saw the Mayor about the above time, industrious, in inducing the rioters to disperse. On the thirteenth day of last August, after Hugh Beard had surrendered himself, on my way to Mr. Maxwell's, I met with the Mayor in Market-street; he inquired if Hugh Beard had surrendered himself, I informed him he had; the Mayor then said, that Hugh Beard had called on him, and that he had advised him to go to



DEPOSITION

OF

THOMAS BUCHANAN.

THOMAS BUCHANAN, being first duly sworn—

To the first 14 Interrogatories, the deponent saith—That he was not in Baltimore on the 20th of June last; that he left it between the 10th and 15th, and did not return until about the 28th of that month, and that he has no knowledge of the destruction of the Federal Republican office in Gay-street by a mob, except what he has since heard from others.

To the fifteenth Interrogatory, deponent says—That he was not present when the mob commenced their attack on a house in Charles-street on the 27th of July last, from which the Federal Republican had that day been issued; that this deponent did think from the demolition of the house in Gay-street, and the circumstances attending it, that the house in Charles-street was also attacked, but that he did not think that it would have been attacked so soon as it actually was. That in walking down Market-street, on his way home, on the night of the 27th of July, when he came to the intersection of Charles and Market-streets, he heard a noise down Charles-street, and immediately walked down the street to see what it was; that after he had proceeded a little way, he met some people who told him that the mob had made an attack on Mr. Hanson's house. That this deponent went on until he came to a lane, which the deponent has since understood is called Staxton-Lane; this lane was very much throng'd with people, and before the deponent crossed it, he understood that the mob had taken Mr. James P. Heath, and killed him. Just about that time, he perceived a body of people coming out from the lane into Charles-street, with the person whom they had taken and beaten—when they got into Charles-street, they went up with the person to a house nearly opposite to General Stricker's, which house the deponent has heard belongs to a French Dancing Master. The deponent went with the mob to the said house, and their professed object was to procure medical assistance for the person they had beaten. Soon after they got to the house, the deponent understood that the person whom they had taken and beaten was not Mr. James P. Heath, but Mr. Rufus Bagglow. The deponent further saith that the mob continued some time at the house before he fled to, where they were instigated to further acts of violence by

persons whom he did not know. That they then returned again to the house occupied by Mr. Hanson, and made a furious attack upon it, and continued to attack it until some guns were fired, which this deponent has since understood were blank cartridges—This occasioned a temporary cessation of hostilities—but the mob soon renewed their attack upon the house, and continued it until the party in the house fired upon them; at which time a man named Williams was shot. That until they fired upon the mob, the party in the house, in the opinion of this deponent, exercised the most exemplary forbearance. That between the time of their firing blank cartridges, and shooting Williams, some of Mr. Hanson's friends in the street complained that they had waited too long, and began to charge the party in the house with pusillanimity. That this deponent remonstrated, and told them that it did not proceed from cowardice, and that they were waiting until they found themselves completely justified by law before they repelled the attack; and that during this conversation the second fire from the house took place. The deponent then went to General Stricker, and asked him why the militia was not called out to suppress the riot? he was answered with some emphasis by the General, that he had no authority to do it without an order from the civil authority. After some time, Justices were procured, some of whom thought, or affected to think, on reading the act of Assembly, that they had no authority to issue an order. That this deponent was called on, and gave his opinion on the Law, that they had the authority, and insisted that an order should be immediately issued to General Stricker to call out the militia. After some time spent in discussing the act of Assembly, and procuring Magistrate, two were found who were ready and willing to grant the order. The deponent then asked General Stricker what officer he wanted, and he told the deponent that he wanted Major Barney; the deponent immediately went for Major Barney, and communicated the General's request, and also told him what was taking place in Charles-street. Major Barney told the deponent that he would obey, and did repair to General Stricker's house about half an hour afterwards. That when the deponent went to Major Barney's house, he was in bed, and it is the opinion of this deponent, that Major Barney attended with as much alacrity as he well could, circumstanced as he was, when he received the General's orders. That Major Barney, at some time, assembled between twenty or thirty bar-bettmen at the intersection of Charles and Market-streets, and who remained there upwards of an hour before they advanced to the house in Charles-street, occupied by Mr. Hanson. The deponent does not know what occasioned this delay.

To the twenty-eighth Interrogatory, the deponent saith—After Mr. Hanson and his friends had been conducted to Court,

deponent there, an application was made to Judge Scott for a writ of *habeas corpus*, which was refused; that Judge Scott assigned as a reason for his conduct, that he thought it would be dangerous to bail them; that this passed on the morning of the 23rd of July, between 10 and 1 o'clock. That John Montgomery and Edward Johnson, Esquires, were both present when this application was made to Judge Scott, and they both concurred in the course pursued by Mr. Scott; and they expressed their opinion, that they ought not to be bailed that day, assigning as a reason, that it would be dangerous to bail them; that the mob would, in their opinion, attack the prisoners if they were bailed. That the deponent then insisted that an order should be sent to Gen. Stricker to call out the militia to protect the Gaol; and that Mr. Montgomery and Mr. Johnson both seemed averse to that measure; and that Mr. Johnson observed to deponent, that some eminent lawyers doubted the power of the magistracy to grant an order to the General to call out the militia in a case of that kind. The deponent asked Mr. Johnson to mention the names of the Lawyers alluded to, to which he made no reply. At this time Captain Samuel Sterett was also present, expressed himself in these emphatic words—"that every moment we lose is dangerous to the city of Baltimore." Mr. Johnson then acquiesced in the measure, and an order was granted to call out the militia.

The deponent further saith—That he called at General Stricker's house about 2 o'clock on that day, in order to get General Stricker to go to the Gaol as soon as possible, as the deponent was decidedly of opinion, from what was passing, that the mob intended to break into the Gaol in the course of the evening or night, and murder the prisoners. This deponent said, that General Stricker was not at home, and that he did not see him. That the deponent went immediately from General Stricker's to the Mayor's office, and found the Mayor in front of the Maryland Insurance Office, in conversation with several gentlemen. The deponent called the Mayor aside, and communicated to him his apprehensions that the mob would break into the Gaol, unless it was protected—That this deponent's opinion was, that a body of citizens ought to have been placed as a guard in the Gaol, until they were relieved in the evening by the militia, who had been ordered out. That deponent communicated this to the Mayor, and urged him to go out to the Gaol as soon as possible, to take possession of the Gaol until the militia arrived. The Mayor said that he would go out in the course of the evening; but at the same time said, that the militia would not turn out. Deponent told him that he thought they would turn out; but that at all events the civil authority ought to take possession of the Gaol, as a guard to protect it; in which he complied, and said he would endeavor to get some citizens to go with him

for that purpose. The deponent further saith, that between 3 and 4 o'clock of that day, he went out to the Gaol, in a hack, with Judge Scott and Judge Graham, and that he thinks there were about 50 or 60 persons in the Gaol, and about 150 in the yard in front of the house. That he spoke to the Gaoler to have every person turned out, and the doors locked, which was done. That at the Gaol door Judge Scott entered into conversation with some of the people who were there, among others Doctor Lewis and Doctor Smith, as the deponent then understood. That in the course of this conversation, one of them, he thinks Doctor Smith, expressed an apprehension that they were to be hanged, with Judge Scott assured them that they should not be hanged that day. Some of the people declared aloud that the prisoners in the house ought to be punished; that they had committed murder. Judge Scott replied, that they had submitted to the civil authority, and were then confined in Gaol, and that they should have a fair trial according to the law of the land. Some person then said, this deponent thinks it was Doctor Smith, that they were sensible if they were tried the law would acquit them, but that equity and justice would convict them, and that there should be blood for blood, and that this sentiment was repeated several times.

This deponent further saith—That while he was at the Gaol, he saw the Mayor there, and heard him tell the people that they ought not to commit any act of violence; that Mr. Hanson and his party were in Gaol, and that they should not be hanged; and, as far as this deponent observed, the Mayor seemed to be anxious to restrain the mob from any further violence. This deponent further saith, that his principal object in going to the Gaol, was to ascertain the disposition or intention of the mob, and to counteract them from doing any acts of violence, so far as he possibly could. That before this deponent went to the Gaol, he had taken up a decided impression, that the mob intended to murder Mr. Hanson, and his friends, in the course of the evening; and that deponent was confirmed in this opinion, after hearing the sentiments expressed at the Gaol, as herein before stated. That the deponent hastened back to town in order to get the militia out as soon as possible; that he met Col. Joseph Stewart on his return, and communicated to him what he had seen and heard, and urged him to go off as soon as possible, which he said he would do.

Interrogatory put by Mr. Darcy to Mr. Buchanan.

Did Mr. Barney remain with the militia all the time they remained at the intersection of Charles and Market-street? And did you hear his address delivered there to his troop?

Witness Depoant said—That Mr. Barney did not remain with the militia all the time he remained there; that he was oc-

occasionally absent when the deponent thinks, but is not certain, that he went several times to General Stricker's during that time. The deponent further said, that shortly before he moved with the militia to Hanson's house, in Charles-street, he heard Major Barney address the troops to this effect: that they were to break no ope; that they ought rather to submit to insults than to give them; that they were not to draw their swords until commanded, and when drawn they were to use them like men. And further, that this deponent saw nothing of Mr. Barney afterwards.

DEPOSITION

OF

WILLIAM MERRYMAN.

WILLIAM MERRYMAN, being first duly sworn—

WILLIAM MERRYMAN answers to the Interrogatories proposed to him by the Committee appointed by the House of Delegates of the State of Maryland, to inquire into the cause of the late Riots and Mobs in the City of Baltimore, and to make true answers, to which he was duly sworn.

In answer to the first Inter. I say, that I have seen the house therein alluded to, standing previous to the twentieth of June last, and have since seen the place on which it formerly stood, and part of the ruins thereof. I returned from the country on the evening of that day, and have some indistinct recollection of a rumour in the city, that the office of the Federal Republican was to be pulled down that night.

On the subject of the 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, and 13th Interrogatories, I can give no information.

To the fourteenth Inter. I say—that I do not know who was present at the time mentioned in the interrogatory, as I was not there, in consequence of fatigue and indisposition.

To the fifteenth Inter. I say—that I was then much indisposed with a fever, and did not leave my room until about seven o'clock in the morning of the twenty-eighth of July; but on learning that a great crowd had assembled in Charles-street, immediately went there, notwithstanding my indisposition. I saw a number of citizens endeavouring to form a hollow square, some on horseback, and others on foot; some of them with arms, and many without, exclusive of those whom I considered as hostile to the persons in the house in Charles-street. Gen. Stricker was on horseback, and appeared to be much engaged in ordering and commanding the citizens. James Calhoun, jr. brigade-inspector, was assisting Gen. Stricker; and both of them were very busy in making arrangements for the protection of the persons in the house. As I could be of very little service as a civil officer, it was my wish to act with the militia, supposing that when they do act, they act effectually. I immediately addressed myself to Gen. Stricker, and offered him my assistance in the restoration of order. The General was not personally acquainted with me, and Mr. Calhoun informed him that

it was the sheriff; on which he called my attention to the hollow square. After the few infantry which were on the ground had formed the hollow square, I went into the house, and saw who was therein. Some of them I did not know. Gen. Stricker, the Mayor of the city, and the Attorney-General of the State, were there using their influence with the persons in the house to induce them to surrender themselves to the civil authority; many objections were made to their propositions by Mr. Hanson, and by a person who they called Gen. Lee. Gen. Stricker stated, that they had but one alternative, and that from the state or the people outside of the house, they must decide in a few minutes, either to accept of his order, or to remain in the house and perish.

After they had surrendered themselves into the hands of the civil authority, and were walking out of the house, Gen. Stricker halted in the door, and informed the citizens in the street, that the persons within had surrendered themselves to the civil authority, and he charged them not to injure them, and swore that, if necessary, he would die by them, or words to that effect. We proceeded towards the prison, marching with the prisoners in the hollow square. General Stricker and the Attorney-General walked in the square, and I believe the Mayor was also therein, but am not certain. Major Barney, with the cavalry, or a part thereof, was immediately before us—Col. Small was also there on horseback, endeavouring to restrain the violence of the people, who appeared anxious to get hold of the prisoners, using many threats and imprecations against them. After we had arrived at the goal, and the persons we had charge of were confined therein, I requested the Attorney-General to advise me as to my conduct, and stated to him that there was no compromise. He said, that he would see Judge Scott, and that the persons could be committed on a charge of murder. He was of opinion, that I should have a guard, and that I could not keep the prison without, and the military should be my *procurator*. I concurred with him in this; and in the forenoon I applied to Judge Scott for the militia, he informed me that they had been ordered out, and that I might depend upon them for protection at the goal that night.

Third Interrogatory. I answer in the negative.

To the 17th, 18th, 19th, and 20th, I say—that I know nothing relative to the case, except as herein before stated in my answer to the fifteenth Interrogatory.

To the twenty-first Inter. I say—that I was present at the goal the twenty-eighth of July last. I was occupied in the forenoon in endeavouring to save some property which belonged, as I was informed, to Mr. Wagner, and had been taken from the possession of Mr. Raborg in Water-street, where the mob went for the purpose of destroying it. At my request, Mr. Ra-

being delivered it to me, and it was not without great difficulty and trouble that I succeeded in depositing a part in one of the rooms of the new Court-House, as several attempts were made by James Darling, Hugh Beard, and others, to take it away from me, and a side-board was actually broken in one of the rooms we had with some persons during the time; the citizens near me did not come to my assistance, although frequently called to and summoned. Information was then given to me, that the mob was proceeding to the gaol. By the advice of Judges Scott and Smith, I went to the Mayor's office to inform him of it, and to hinder the assembling of the militia—he was not at his office. I stepped across the street into the counting-house of Alexander McKim, Esq. and requested him to use his influence. He declined. I then rode in haste to the gaol, and there saw a number of persons, among whom were Judges Scott and Smith, Gen. Stricker, and Mr. James Calhoun, jr. and the Mayor. A part of the mob then advanced with drum and life. I addressed them as I sat on my horse; persuaded them to desist, some appeared to be pacified—but in return, I received abusive language from others. An immediate attack upon the gaol was threatened. I called Mr. John H. Bently, the gaoler, and directed him to turn every person out of the gaol who had no business there; to lock the outside doors, and to keep them locked. I summoned Mr. Thomas Ross, a constable, to assist Mr. Bently; he promised me he would, and I believe he did. I mentioned to Mr. James Calhoun, jr. the brigade-inspector, the assurances I had received from Judge Scott, that the militia would be ordered out for the protection of the gaol. He said, that they had been ordered out, and that he would see the big guns properly secured, so that the mob could not get at them, and use them. It was then at best that the friends of good order should mix with the crowd, and reason with the people, and this was done, and appeared to have a good effect. Some went away, but the great body of them sat about the gaol lot until others came. During the afternoon, the Mayor and myself had frequent conversations on the subject of the gaol, and the safety of the prisoners. He assured me, that there was no danger of an attack on the gaol. I repeated to him frequently my apprehensions of violence, and asked him to go inside the gaol with me, as might be proposed, that he might help me to preserve it—the same request was made to Mr. Lemuel Taylor, and Capt. Joel Vickers, who were told that it was my wish to get five or six good Republicans to help me to keep the doors. Mr. Taylor appeared to decline it, until the Mayor spoke favourably of it, and Mr. Taylor waived his objections, and they remained there some time.

I had some conversation with Gen. Stricker also, concerning the safety of the prison, and the prisoners. He was not in the

smallest degree apprehensive of danger. I did not hesitate telling him my fears upon the subject.

A report was in circulation, about this time, that Mr. Bentley, the gaoler, intended going up the keys. Mr. Lemuel Taylor, and the Mayor, mentioned it to me. I went immediately to Mr. Bentley, told him of the report, and cautioned him again particularly about the doors.—He declared that the report was groundless, and that I might make myself perfectly easy so far as it concerned his duty.

The Mayor had released a young man by the name of McGubbin, who had been pushed into the prison by mistake. There was then a rumour among the people outside of the gaol, that none of them were committed, and they would all be released without being brought to justice. The Mayor solemnly declared to them that they had been regularly committed by Judge Scott, and they should not be released until they were tried by a jury of their country; this, however, did not satisfy them. Gen. Stansbury about this time appeared in the gaol lot, with several other gentlemen. I went to him, and after accosting him in the customary style, I expressed to him my satisfaction at meeting him there; I told the General that I hoped he would assist me in supporting the laws that night. He replied, that he would have nothing to do with it.

Another application was made by me to Gen. Stricker, he still thought that there was no danger of an attack. He said, that the militia had been ordered out, and not more than about thirty men appeared. I requested him to go in side of the prison and help me to keep the doors.

Just before dark, Col. Small came riding up to the gaol, I think in his uniform; he gave me assurances of protection and safety, relative to the gaol that night. While we were talking, several persons came round us, amongst whom was Gen. Stricker—Col. Small then left the gaol, and I missed Gen. Stricker—Col. James Bilys about this time appeared on the ground; he was friendly and polite, willing to support the laws, but he refused to go inside of the gaol with me to keep the doors.

The mob shortly after appeared to divide into two parcels, one part seemed to come from the upper corner of the Penitentiary wall, and the other part was at the corner of the gaol next to the city; the company farthest from the prison made a great shouting, and they were answered by William Dailey, who was near me, with a number of others, lying on the grass; they rose, and met the other party, when they commenced an immediate attack upon the outside door of the gaol next to the Penitentiary. I stood, and paused for a few minutes, when, to my surprise, the door opened—as soon as it was open, I saw Mr. Lemuel Taylor and Chas. Mayo, at some distance from me in the gaol lot. I went to them, and asked them for assistance; we

Immediately went into the hall of the prison, where we called to the people and commanded them to desist; but they, with their axes, rolled up, approached us in many intimate groups, breaking down the wooden gates; after they had got through that, they gave a shout, and then commenced the iron grating; and there was a general clamour for the keys. Mr. Bentley asked myself he would give up the keys, I charged him not to do so, neither did he, for they broke away the brick wall which retained the lock. I then took my horse and rode to Judge Scott's, and related to him what was going on at the gaol. I summoned the persons who were standing at the corner near his house, and proceeded to Gen. Stricker's, and there inquired for him. Gen. Stricker and myself rode through several streets, summoning all persons to meet at the Court-house. The Gen. left me—I proceeded through several of the most public streets of the city, summoning all persons to meet immediately at the place assemblage; the alarm-bell was then ringing, but it appeared to produce no other effect than to cause assemblages of the people at the corner of Baltimore and Gay streets, which, I understood, was to oppose the sheriff. I went to Capt. Collins, who was then out of my office, and he and myself proceeded to the gaol, where we witnessed a sight shocking to humanity; we returned without being able to render any assistance to the afflicted, and under the impression that they were all dead.

About two o'clock in the ensuing morning, Mr. Bentley, and I believe Mr. Samuel Farnandis, rapped at my lodgings—I arose, and hastened to Judge Scott's, to obtain a release for those persons who were in my custody. He informed me, that he had already signed one, and gave it to Dr. James Smith, the attending physician at the prison. Dr. Smith, with several others, proceeded to the gaol, and a consultation was had as to the expediency of removing them immediately. We did get out Mr. White, and several other persons, were there; stages were sent for—White got sent away, but Manum assisted us to lift the woman on blankets to the stages.

To the twenty-third Inter. I say—that I heard of that mob, and saw the militia turn out for the protection of the post-office, and have understood that when the militia were ordered to load with ball and bridges, it increased the number of spectators. I am under the impression, that the preservation of the post-office is owing to the Divine Providence, to the interposition of the militia.

To the twenty-fourth Inter. I answer—that I know nothing more of the riots or mobs before alluded to in the Inter; I proper, excepting a report, at sundry times, of persons being removed from their houses, and also of many persons being arrested. There were no other commotions in the city to my recollection, until the arrest of Manum, White, and others, for the murder

of Gen. Lingah; on that occasion, the military performed duty, and two magistrates of the city attended at the gaol each day, with a number of other citizens, to prevent any attempt that might be made to rescue the prisoners then confined.

To the twenty-fifth Inter. I answer—that as I have before stated, I called upon the Mayor, Mr. Lemuel Taylor, and Mr. Joel Warren, Gen. Stensbury, Gen. Stricker, and Col. James Hays, in the manner aforesaid, to go into the gaol with me, in order to protect it and the persons therein confined from the mob. That they declined to do so, alleging that they did not apprehend any danger, or words to that effect, except Gen. Stensbury, who said, he would have nothing to do with it; that he was sorry they were in gaol, and that the house in Charles-street ought to have been blown down over their heads. I then observed to Gen. Stensbury, that every man had a constitutional right to be tried by a jury for any offence alleged against him. He replied, a trial by jury—if they are tried by Jury, Hanson will restore his case to Hartford, and what sort of a trial will he get there. I further say, that I had serious apprehensions that an attack upon the gaol was contemplated, and I communicated my fears as above stated, but that relying upon the assurances which I received from those gentlemen that there would be no attack upon the gaol, and also upon the information which I had before received from Judge Scott and Mr. James Calhoun, jr. brigade-inspector, that the militia would be out in the evening, I thought it most advisable, when at the gaol, not to summon the *petit armatus*, depending also fully upon Col. Small's assurances of protection and safety, which was a few minutes before the attack upon the gaol. Under these circumstances, I thought it would be folly to summon a parcel of unarmed men, as it might greatly interfere with the military arrangements; and further, I could not, for a moment, conceive, that the militia would be dismissed without nothinging me the lot. I think two field pieces, with sixteen men to work them, and also thirty infantry to cover them, would have resisted the attack which might have been made upon the prison. As to the public subscription, I am of opinion, that if the above named gentlemen had unanimously, resolutely, and firmly taken their stand within the gaol, and had let it be known without, that they were determined to support the laws, the consequences following and incident with the people generally, as to the gaol, all have been committed upon the prison. After all promises and assurances which have been made to me proved abortive, I had recourse to the *petit armatus* in the best manner I could, as I have already stated in my answer to the twenty-first interrogatory.

To the 26th, 27th, and 28th Interrogatories. I have no information.

Answer. I have already stated that I saw the Mayor in the house.

13th. Did you or not observe the Mayor active in the formation of the guard, armed and unarmed, which was to protect those who had surrendered in the house?

Answer. I have already stated that I think the Mayor was in the square, walking through the streets with those who were going to the civil authority, no doubt but his object was to protect them. The Mayor must have been in the house in Charles street when I got on the ground. I have already stated that I saw him in the house, using his influence with those persons to get them to surrender.

14th. When the Mayor declined going into the Gaol with you, did you request him to do so, did he or not allude to you as being the only one who could do more good in preventing the mob from rioting by remaining out than by taking a part with the mob?

Answer. To this I say, that I do not recollect any reasons offered by the Mayor upon that subject.

15th. Do you know by whom the outer door of the Gaol was opened? What inquiry, and of whom, did you make on this head?

Answer. I inquired of the Gaoler, who informed me, that a person by the name of Millers, who had been confined there for a considerable time as a debtor opened the door.

16th. Did you see the Mayor at or immediately before the breaking of the Gaol by the mob? or did you see him afterwards in the course of the night?

Answer. I say that I saw the Mayor a few minutes before the breaking of the Gaol; and as Mr. Lemuel Taylor, Col. James May, and myself, were advancing to the gaol door, Mr. Taylor halted, and spoke to a person who was then retreating from the door, he turned his face towards us for to speak to Mr. Taylor, and then turned about again and went off, whether this was the Mayor or not I cannot say, it was too dark for to distinguish him from any person else at that time; if this was him, I do not recollect seeing the Mayor any more that night.

17th. When you had the conversation you have stated with General Stansbury, where was he? who were present? was he on horseback? and did he or not tell you that he was then about going home to the country?

Answer. I have already stated, in my reply to Mr. Dorsey's second interrogation, that at the time General Stansbury and myself were talking, we had stepped some distance from the gentleman he was with when I first saw him; he was in the guard box; I know of no person that heard the conversation, but sundry persons, whose names I cannot recollect, must have seen us talking; he was on foot; I do not recollect hearing him say one word upon the subject of his going away.

20. When the escort left the house in Charles-street, what do you suppose was the number of the mob?

Answer. The concourse or gathering of the people before the house in Charles-street at that time was great. I did not see how far they extended down Charles-street, so that I can form no tolerable idea as to the number; but I do not think all that were there consisted of the mob.

Interrogatories put by Mr. Darcy to Mr. Maryman.

1st. What was the language used by General Stricker in the course to the gentlemen to induce them to surrender?

Answer. I say I have before stated, in my answer to the 21st Interrogatory, that General Stricker informed the persons in the house in Charles-street that they had but one alternative, either to accept of his proposition, or to stay there and perish; they still objected to the surrender, and the General said in reply, that he did not know what more security they wanted than the Mayor and the Sheriff.

2d. When General Stansbury used the language stated by you in whose hearing was he?

Answer. At the time Gen. Stansbury and myself were talking, I do not recollect that any person heard us; we had stepped some distance from the gentlemen he was with when I first saw him. I have understood from Mr. William R. Smith, that he heard my application to the General.

3d. Did Colonel Blyss show an evident disposition to aid and assist in the preservation of the peace?

Answer. I think he did, but he assigned no reasons for not going inside of the Gaol with me.

4th. What reasons had you to believe an attack was contemplated?

Answer. I do not recollect of any other reasons than what are detailed in my answer to the 21st Interrogatory.

5th. Was any requisition made by the civil authority on the military, to protect the Gaol when Mumma was committed? state the disposition of the artillery at the above time?

Answer. Judge Scott and myself went to the Mayor's office in order to concert measures with him for the preservation of the Gaol, our opinion being that the militia ought to be ordered out for that purpose; we did not find him at his office. From what had before taken place, I was apprehensive of danger, and thought it best to summon the *posse comitatus* immediately. While I was engaged in that duty, I saw the Mayor and General Stricker, who informed me that the military would be ordered out; the Mayor advised me at the same time to use every exertion in the same manner as if the military were not to turn out. The force came to the Gaol; I appointed three captains over them, but the men were principally unarmed, and as dark came on, I think they

would have been concerned if the military, say the fifth regiment, had not arrived as soon as it did. I think the artillery companies behaved like soldiers and gentlemen upon that occasion.

DEPOSITION
OF
DENNIS F. MAGRUDER.

DENNIS F. MAGRUDER, being first duly sworn—

Dennis F. Magruder, of the city of Baltimore, deposes and saith.

From the 1st to the 14th Interrogatory, inclusive, this deponent knows nothing except from hearsay.

To the fifteenth Interrogatory, deponent saith—That on the 27th of July, 1812, about eight o'clock in the evening, he was sitting with Mr. George Howard, and Mr. Richard B. Magruder, on the steps of General Stricker's door, in South Charles-street. That a short time after, a man whose name he afterwards heard was White, came where we were, and ran up two or three steps, where General Stricker was sitting, and, as well as this deponent recollects, the following conversation, in substance, ensued. White asked General Stricker if nothing could be done, that they (meaning the mob) were throwing stones at the house. General Stricker answered, that he was not the proper person to apply to; that he had no power to quell the mob. White said, that it was hard that the house should be suffered to be destroyed in that manner. You are a son of Mrs. White, said General Stricker, who before this appeared to be ignorant of the person addressing him; White replied that he was; your mother ought not to rent her house to such persons, said General Stricker.—White answered, that his mother had rented it to Wagner for a dwelling-house. General Stricker told him that he had no power to call out the military, and that he must go to the civil authority; after White subjected some remark, which this deponent does not recollect, the conversation ceased, and White left the house. A few minutes after, loud hurrahs were heard from the mob before the house, No. 15, South Charles-street, which was soon after followed by the discharge of several guns from the house, over their heads. This deponent then left General Stricker's house, and went to Ruxton Lane, near the house attacked; the mob appeared rather animated than depressed at the discharge of the guns, particularly after they observed that no person was hurt—they soon commenced a furious attack with stones on the house, broke all, or nearly all of the windows, and forced the door open. He heard one of the mob call for a candle, and declare that he would enter the house. Not long after, this deponent saw several guns discharged from

the door of the first, and the windows of the second story, at the mob, by which several persons were wounded, and mortally. This deponent then returned to General Stricker's house, where a large number of persons had collected. Hearing that the General's family was much distressed, and that it was his wish that the crowd should not come farther than the door, this deponent remained on the steps; in this situation very few circumstances came under his observation relative to the civil or military officers. He saw General Stricker frequent at the door, and heard him repeatedly inquire for magistrates, of whom this deponent understood that it was with great difficulty, and much delay, that two of them could be got to sign a requisition for the General to call out the military. From all the circumstances which came within the observation of this deponent relative to General Stricker, while at his house, this deponent is of opinion that there was no man present who was more disposed, or who could have done more than he did, to get together a sufficient force to disperse the mob, and protect the persons in the house attacked. This deponent frequently saw Major Barney during the evening—he appeared to be waiting for orders, and to be making exertions to get together the cavalry. This deponent saw a man who belonged to the cavalry, and who had been sent after the trumpeter, returned to General Stricker's, and heard him inform Major Barney that his trumpeter refused to turn out that night; at that time, as well as this deponent recollects, it was between eleven and twelve o'clock, when all peaceable citizens who had not heard of the riot, were in their beds, and the want of a trumpeter to inform them that their services were required, were the principal reasons this deponent supposes, that so few of the cavalry could be collected that night. This deponent believes it was about twelve o'clock, when he heard a gun fired from the house, No. 45, South Charles-street, which he was informed killed Dr. Gales. Nothing material fell under this deponent's observation from this time until between one and two o'clock, when this deponent returned home, and went to bed. About half after three o'clock, this deponent was waked up by R. B. May, Esq. and Capt. David Warfield, and informed that the men in the house, No. 45, Charles-street, had agreed to surrender to the civil authority, provided a sufficient military force was sent to protect them from the mob; and that the United Volunteers, a company commanded by David Warfield, and of which this deponent is a member, was ordered to assemble and form a part of the guard. About six o'clock, 21 or 22 men assembled, and formed at Godby's tavern, and were marched to the corner of Pratt and Charles-street, where they were joined by 10 or 15 men belonging to two other companies who had also been ordered to form a part of the guard. At this place we formed in single file on Chiong Hollow square, and

marshaled before the house, No. 45, South Charles-street, to receive the men in the house, and to let them to go. The mob appeared to be numerous and much infuriated. This deponent understood that the men in the house refused to quit it until the riot of the square were done. He supposes the guard was stationed before the house, previous to their marching for the riot, during which time this deponent saw the officers make every exertion which he believes they could make, to induce the more orderly part of the assembly to get their guns and form a part of the guard.

From Interrogatory 16th, to Inter. 22, inclusive, this deponent knows nothing except from hearsay.

To Inter. 23d. This deponent says—that he saw from 15 to 30 persons, whom he believes were the materials of a mob, standing in a crowd at the corner of St. Paul's lane and Market-street. In a short time Col. Blays came on with a troop of horse, and it being requested by the Mayor (as this deponent believes) that all respectable citizens would go to their houses, that they intended to do up on the next, this deponent obeyed his request, and saw nothing relative thereto afterwards occur.

DENNIS F. MACRUDER,

Annapolis, December 21, 1812.

DEPOSITION
OF
JOHN SCOTT.

JOHN SCOTT, being first duly sworn, answers as follows:

The answer of John Scott, of the city of Baltimore, to sundry interrogatories propounded to him by the honourable the Commissioners of Grievances and Courts of Justice of the House of Delegates, now sitting at the City of Annapolis.

The deponent saith, that on the night of the twenty second of June last, between the hours of nine and ten o'clock, he was called upon at his residence in St. Paul's Lane, and informed that a body of people were pulling down the Federal Republican office in Gay-street. Deponent summoned those present to attend him as a *posse comitatus*, and requested them to arm themselves; and on his way thither, ordered all whom he saw to attend him. Deponent was very lame, and walked slow; when he got there, he found the street filled up before the office, and many persons in the office cutting it to pieces. He immediately stated his official station, and commanded those in the house to desist and to disperse. Deponent was attended by a few only, who requested him not to go into the crowd, as it was impossible for him then to disperse them. At this time the doors and windows were torn down; deponent went into the crowd, and called upon all good citizens to give their aid and to follow him into the house to take those in it, and to prevent further destruction—the only reply made to him was, that it would be dangerous, and that the house must come down. Deponent passed through the whole extent of the crowd, and could get no assistance. He returned through the crowd, where he had entered it, finding that his endeavors to disperse the people were in vain, and he himself much exhausted; at this time a man fell from the house, and was killed. Deponent went into Mr. Jones' house, adjoining the office; several gentlemen were there; upon consultation, it was determined that no force could then be got to prevent the entire destruction of the house, or to arrest those engaged in it. Deponent did not know an individual in the body formed, and cannot say who was engaged; the only thing said to him was, that he had better go out of the crowd, and that the office must come down.

Deponent did not see any Magistrate, Constable, or Judge there, but heard that the Mayor was there, and Judge Nicholson; that the Mayor had used all his exertions to disperse the

and to prevent the further destruction of the office. The office and indeed every thing, was destroyed in the night. The interposition of the military was not called for that night, to deponent's knowledge. Several hundred were in the street, but deponent cannot tell who were engaged in destroying the office. Deponent does not know whether natives or foreigners were engaged in the work. Deponent knew nothing of the riot until called on as before stated. Deponent knows of no information given to the civil authority, except the call upon himself — knows nothing of the value of the property. Deponent knows nothing of the pursuit of Mr. Hanson, and has only heard that Mr. Wagner was pursued. Deponent called for constables and citizens to aid him, there were citizens who were willing to do so, but not a sufficient number. There are two persons, whose names are not recollected, indicted in the court of Oyer and Terminer, &c. for being concerned in dismantling a vessel belonging to Mr. Mactien, then loaded with flour; they are not yet taken on the process issued for them. Deponent does not know of any person being called upon, on the occasion, except the collector of the customs. The vessel has since sailed, she cleared out for Lisbon, as deponent has heard:

Information was lodged with deponent of the house of one Briscoe, a coloured man, being pulled down; prosecutions took place.

Information was lodged with me, that there was an assemblage to pull down the African church; deponent being unwell, sent for some constables, who with respectable methodists, and one of the justices of the peace, went to the place and prevented any outrage. My neighbour, Mr. Mactien, before mentioned, showed me an anonymous letter he had received through the post-office, ordering him to leave the city, and stating that he wished to supply the British with flour, which was not the fact, for the vessel had as he stated to me cleared out for Lisbon. I have before stated that I heard that the Mayor was in Gay-street, and that Owen Dorsey, esquire, a justice of the peace, went from my house to the African church, and have no knowledge that the attorney-general, or any of the civil authority, than before mentioned, was present at any popular commotion alluded to, as prior to the fourteenth interrogatory, or that they had any knowledge of the same, except Mr. Nicholas to Briscoe's house. James P. Heath, esquire, lodged information with me, that when he was not at home, but his family there, his house had been entered by three men, who inquired for him, and that a threatening letter had been left with Mrs. H. which I presume will be produced to the committee; he demanded a peace warrant against John Munroe, which was issued; three different constables were ordered by me to serve the warrant; it has re-

ever been returned to me; the names of the constables are Alexander Thompson, John Maxwell, and Francis

On the night of the twenty-seventh July last, at ten minutes past nine o'clock, a young gentleman came in haste to me, and informed me that he was sent to tell me that a mob was engaged in pulling down the Federal Republican office. I did not know, until that moment, that the office had been re-established, and I did not know where it was, and informed by him in Charles-street. Several persons by this time called for the same purpose, we went together, stopped at General Stricker's, which is on the way thither; he was at his door. I asked him if we could not suppress the people; he replied, that he would give his aid, if authorized by the authority, to order out the militia. There was but one justice of the peace present, neither was that far—I went to the house, and found a number of persons in the street. I called for the watch and the constables, but I lost my horse. I went into the crowd, commanded the people, ordered the people to disperse, called for the constables and watch, as they did not come to my aid, the people did not disperse. Mr. Bigelow, one of those who had been in the house, had been wounded, and they were carrying him off. I here met with Mr. Abel and Mr. Aisquith, two of the justices of the peace, who were ready to give their aid. After some time, it was agreed that I should go into the house to try to bring about terms. I did go in with Mr. Abel—I proposed to those in the house that they should surrender themselves to me, which they consented to, provided I could protect them. I then proposed to the people in the street to move off with me, and that I would return and take into custody those in the house; they refused to do this; and I advised those in the house not to come out until we had force to protect them. I went to General Stricker's, an order was obtained, after some considerable delay, requiring the militia to call out the militia. It was delivered to Major Barney, directing him to call out the horse, with orders to report to the office, and disperse the mob, but not to fire, unless he was attacked, and in that case to report the attack. It was late at night; Major Barney collected some horsemen, and I went home. About 3 o'clock in the morning, General Stricker sent for me; I sent off for the attorney-general; was informed an express had been sent for the Mayor about four miles in the country. The Mayor and the attorney-general soon joined us, we went with General Stricker into the house; they agreed to surrender; I found Major Barney on duty.

A military force was collected, and the prisoners in the house, on the morning of the 29th, were conducted to Osol for present protection.

About three o'clock in the afternoon, I was informed that many people were collecting at the flag. I went there; was soon

joined by the Mayor; we ordered the people to disperse, and were joined by 1. General Stricker came out. Colonel Stricker's regiment had been ordered out. Being very unwell, I left the Gaol between 11 o'clock and five o'clock, leaving the Mayor, and Smith, Esq., one of my associates, with General Stricker, (think) there. In going up Market-street, I saw Colonel Stricker, in uniform, on horseback—I requested him to hurry on—he told me he could not get his men out, that he had but twenty-five, but would go on as quick as possible. The civil authority was very much insulted at the Gaol. The Sheriff was there—when the Gaol was attacked, the Sheriff rode to my door to inform me of it; I ordered him to summon the *posse comitatus*, and directed the bell to be rung; this was between eight and nine o'clock at night.

On the fourth of August, apprehensions were entertained that the prison would be attacked—the civil authority was applied to—a large body of horse and infantry soon took possession of the street; General Stricker was out on horseback. A mob attempted to enter St Paul's Lane; the horse charged upon them, and they were dispersed—for this, and the five following nights, the city was much disturbed, but there was a sufficiency of artillery, horse, and infantry, on duty. General Stricker and the Mayor were always out.

Interrogatory put by Mr. Polts, one of the committee, to John Scott.

Inter. Was an application made to you to bail the persons conducted to Gaol? And by whom? was bail refused, and why?

Answer. The Sheriff, or one of his officers, called on me on the morning of the 23th of July, and told me that the Mayor, when those gentlemen were put to Gaol, had not left a commitment; I then wrote an order, directed to the Sheriff, to detain them until legally discharged. Mr. Levering soon after came into my office with an inquisition which had been held on Dexter Gale, he informed me that he was the foreman of the inquest, which inquest found those in Charles-street, who were in the house, but whose names were to the inquest unknown, guilty of wilful murder. I was afterwards applied to by many to bail them, which I declined doing.

Interrogatories put by Mr. Donaldson, one of the committee, to John Scott.

Inter. first. Did you observe any unwillingness or remissness on the part of General Stricker to order out the militia on the night of the 27th July? Did he not exert himself to procure the necessary force to escort the persons in the house in Charles-street to Gaol? And was he not active in forming the troops, and giving orders to the officers who formed such escort?

Answer to first Inter. I discovered no remissness on the part of General Stricker to order out the militia when called for—last

delay in procuring the signature of a second magistrate, arising from the confused state of the city. General Lincolnton appeared anxious to fill up the escort with sufficient force to protect the prisoners in the house in Gay-street.

Q. Do you know at what time Mr. Johnson arrived in the city on the night of the 27th, or morning of the 28th July? Did he at once repair to the scene of disturbance in Charles-street? What was his conduct then. Did he accompany the prisoners to Gaol as one of their escort?

A. *Interrogatory.* Mr. Johnson arrived at the house in Gay-street on the morning of the 28th of July, immediately after I had got there; he was active and anxious to preserve the peace in the city, and to protect those who were in the house. Mr. Johnson mingled with the escort, but I did not proceed further than the mouth of St. Paul's Lane, being very lame.

Q. Do you think that it was in the power of the citizens of the city of Baltimore, by their exertions, to prevent the breaking open of the Gaol on the night of the 28th without the aid of a competent military force?

A. *Interrogatory.* It certainly was not.

Interrogatories to the honorable John Scott.

Q. Did or did not Mr. Montgomery, the attorney-general, at any time, and when, apply to the court for its opinion with respect to the propriety of removing the cases of several persons indicted for the murder of General Lingan to another county? If he did, state particularly what was the opinion of the court on the subject.

A. I have you ever in your experience known a prosecution at the suit of the State removed to another county at the instance of the State's Attorney?

A. *Interrogatory.* Within Interrogatories, I say, that no application was made to the Court to remove the indictments found for the murder of General Lingan to another county; the Court not having the power to grant such application. I refer to the 46th section of an act of Assembly, passed at November session, 1805, chap. 65, and to the 20th section of an act of Assembly, passed at November session, 1809, chap. 138, which give the power of removal only to the person against whom the indictment is found. No person can make oath for the state.

I have never, in my experience, known a prosecution removed from their county on the application of the State's council—See the first part of the first section of the act of November, 1799, chap. 35.

I would further observe, that the third section of the act of November, 1801, chap. 65, is carried into the act of 1805, and 1809, but the fourth section is not in either.

JOHN SCOTT.

December 20th, 1812, St. Paul's Lane, Baltimore.

DEPOSITION
OF
JOSEPH STERETT.

JOSEPH STERETT, being first duly sworn—

INTERROGATORIES

Inter. first. Did you receive any orders from Gen. Stricker on the 28th of July last? And what were the import of the orders?

Inter. second. Were you not at the post-office on duty, when it was threatened by a mob? Did you there see the Mayor, and hear what he said either to the mob or the military? Be particularly full that he said on that occasion.

Inter. third. Was there any portion of the militia on duty at that occasion who appeared to be of a mutinous disposition? State whether you think that the Mayor's observations were directed to that company, or any member of it.

Inter. fourth. When your regiment was disbanded in Gay-street on the 28th, did you intimate to the brigadier any objection to the order?

I received both written and verbal orders from Gen. Stricker on the 28th July last, the written were published in his dispatch—the verbal orders were, that *I was not to use ball cartridges.*

I was ordered by Gen. Stricker to take command of the detachment of Infantry ordered out for the defence of the post-office. I there saw the Mayor—He observed, on that occasion, to some persons with whom he was in conversation, who, I believe, were complaining that the Federal Republican was in the office, that he would be one of those who would draw his sword to put down the Federal Republican. Some of Capt. Kiefer's company observed, that they were willing to defend their country, but that they were unfriendly to the Federal Republican. Capt. Conn's men, I was informed by Major Barker, refused to take ball cartridges—In consequence of which, I ordered them to take post at the Mechanic's bank, remote from the detachment. I am not positive that the Mayor's observation was directed one of Capt. Kiefer's company.

Answer to fourth Inter. When Gen. Stricker ordered me to go to Gay-street, after I had commenced the march to the post-office with about twenty-five men, he accompanied me back to Gay-street, and gave me orders to march with the orders of the Mayor. He left me, and I saw no more of him that day. When the

came to dismiss, I expressed my fears to some of the officers present, and particularly to Major Heath.

JOSEPH STERETT.

Joseph Sterett requests that the following may be added to his Deposition.

The night I kept guard at the post-office, I remember the Mayor came to me and made observations to the following purport:—That the militia were against us, and that it would be impossible to preserve order as long as the Federal Republican newspapers were in the office, and the people knew it—that the military were disaffected, and had observed to him, the Mayor, that he had deceived them—that he had brought them here to defend the Federal Republican and not the post-office. The Mayor observed to me, that it would be best to remove the papers from the office, and asked my opinion on such a measure, and I requested me to go with him and Gen. Stricker to Mr. Burrall; to which I replied, that he was the chief magistrate, and ought to know best, or might do as he pleased—but that I thought there was no danger, as we had possession of the streets, and had a sufficient force that could be relied on to defend the office. I did not go to Mr. Burrall, and positively deny that I ever advised that the Federal Republican should be procured from the office, and kept by the Mayor that night, and be returned the next morning to Washington, either to allay the irritation of the mob, or for any other purpose.

JOSEPH STERETT.

December 19th, 1812.

DEPOSITION

OF

COL. JOHN H. SCHULTZ.

COL. JOHN H. SCHULTZ, being first duly sworn—

Interrogatories to Col. John H. Schultz, of Baltimore County.

1st. Were you in company with Gen. Stansbury at the gaol of Baltimore County on the afternoon of the 28th of July last? If so, state particularly all that passed between Gen. Stansbury, and others, within your observation, during that evening.

Answer. About two weeks before, I saw Gen. Stansbury, and asked him if he would go with me to Capt. Jones, formerly Captain of the Falls company; he said, that he would go with me whenever I should afterwards call on him; accordingly, on Tuesday morning the 28th July, I called on Gen. Stansbury, and started from his house at about two o'clock for Baltimore. On our arrival at Baltimore, we fed our horses at Mr. Hart's, and proceeded from thence to Capt. Jones' house. We were told that he was not at home, but had gone out in consequence of a disturbance in the city, and that we would probably meet him returning home. Jones' house is about two miles beyond the gaol from the city. When we returned, as we were passing the gaol, the General told me to stop, that he wanted to speak to Gen. Snicker. He was sitting in the gaol yard, on the grass. Gen. Stansbury and myself sat down beside him; directly after sitting down, Mr. Merryman the clerk came up to where we were sitting, and said, "I am glad to see you this evening, General, you must assist us," the General replied, "I must go home; I live in the county"—Directly after which we mounted our horses, and went round the gaol yard towards the corner of the Penitentiary. About this time, the Mayor, in the hearing of deponent, had spoken to some men who were in the gaol yard, ordering them to go home, which was the first idea this deponent had of any danger to the gaol. A man then spoke to the Mayor, saying, "Mr. Johnson, what will be done with these men who are in gaol?" Mr. Johnson said, "never by my mind; they will be brought before the court"—I believe this man was Woodrager. He then said, "on your honour, Mr. Johnson!" who said, "yes, upon my honour, they shall be tried." Capt. Styles was present at this conversation—We were without the gaol yard—This occurred after sitting down, and we were on our way home. While Mr. Johnson was addressing a large body of

men, with whom Woolfslager was, two smaller bodied, close to the back door of the gaol, allowed to them to come on. Gen. Stansbury then said, "Men, for shame—don't break the gaol"—but they went on, and began to strike at the door, and got into the gaol, while we remained outside the gaol yard. I then got a number of men run round to the front door of the gaol; at the time they were running round, John Mumma stood beside of the Generals, who said to him, "is not this a shame to break in the gaol?" who said, "yes, it is a shame." With that the dogs came to us, and Capt. Green, upon which Capt. Styles said, let us go round the gaol yard a little nearer the door. When we got there, the mob had Mr. Thompson, and I heard the sound of blows. Dr. Mitchell, who had joined us as we were going round from the corner of the Penitentiary towards the gaol, asked Gen. Stansbury if he would please to hold his horse until he went in among the mob to help to rescue Thompson. The General held his horse, and he went in among the mob, but soon returned, saying, General, this will not do, I have had three blows—upon which he remounted his horse,—telling that while time we had been on horseback, and General Styles and myself together, our horse's heads close to each other. Mr. Thompson was then taken off by the mob, but I know not which way. It was then proposed by some of the gentlemen that we should go nearer the gaol door. We went on the public road which goes in front of the gaol, and when the mob saw us coming, they cried, here are the light horse, fire! fire! I then said, gentlemen, let us retreat—we wheeled our horses and went round to the gable end of the gaol. Soon after we went back, and got as near the gaol as we could for the mob. By that time, they had taken the gentlemen out of the gaol. I asked the General if he would hold my horse until I went among the mob. He held my horse, and I went among the mob, and I saw a gentleman lying before the gaol door, near the steps, on his back, who was in a gore of blood, but alive. I immediately returned, much affected, and remounted my horse. I told Gen. Stansbury what I had seen—he asked me who he was that was lying there, I told him I did not know. I expected it was Gen. Lee. Gen. Stansbury then said, "hold my horse, and I will go and see the gentleman"—I held his horse, and he went; he was absent about a minute, when he returned, he said, Colonel, I saved that man's life; he was sitting on the gaol steps, and a man wanted to give him a blow, and that he said, for God's sake don't strike this man any more; and that he quit striking him. He then got on horseback, and we, (that is Captain Green, the General and myself) went away, and proceeded from the gaol to the street where Gen. Stansbury's son-in-law, Mr. Dew, resides, where we stopped, and took a glass of grog. We arrived there about ten o'clock. There we

mounted our horses again, and I went with the General to a house in the country, where I staid all the night. Captain Bayles parted with us at the corner of Bridge-street.

3d. When Merryman spoke to Gen. Stansbury had he any company with him?

Answer. Mr. Merryman came up to Gen. Stansbury by himself, and requested to speak to him; the General got up, and got up with him, and heard what he said. It did not appear to deponent to be a summons, but a mere request to assist him.

3d. Were you in company with Gen. Stansbury from the time you went into the gaol yard together until you were going away, so that you might hear and see all that the General said and did while he was there?

Answer. I was within two steps of him the whole time he was there.

4th. Did you hear any language from Gen. Stansbury, addressed to any of the mob, or any suspicious looking persons at the gaol, which was in your opinion calculated to excite them to any outrage against the prisoners? If you did, state what he said.

Answer. I did not hear Gen. Stansbury use any such expressions to any person. I heard him speak to Mumma, and Capt. Worrell and Capt. Green, declaring it was a shame to disturb the gaol. Gen. Stansbury spoke a few words to Mr. Hall, what they were deponent knows not, as he was then speaking to Dently the gaoler.

5th. Did any of the mob come up to Gen. Stansbury while at the gaol, and speak to him as if they had a personal acquaintance with him? And did any communication at all take place between the General and the mob, or any of them?

Answer. There was no communication between the General and any of the mob.

6th. Did Gen. Stansbury enter the gaol at all on that day?

Answer. To my certain knowledge he did not, unless when he left me holding his horse, when he was absent for a minute, and then the massacre was over.

7th. Did you see Hutton that evening?

Answer. He came to us while we were on horseback, he was himself on horseback, and shook hands with me—I saw no more of him.

8th. Did not Gen. Stansbury, during the whole evening, reprobate in the most pointed terms any attempt to break open the gaol?

Answer. All his conversation during the evening was strongly against such an act.

9th. What was the object of your visit to Capt. Jones?

Answer. To prevail on him to take command of a company which had been improperly, as deponent thinks, given to Jones.

Mumma, by Major Garts, and which had been before commanded by Jones.

10th. Were you and Gen. Stansbury summoned as witnesses in the trial of Mumma?

Answer. We were. We attended, but were not examined.

11th. Did you hear Gen. Stansbury, in the course of the evening, speak with compassion of the situation of many of the prisoners who had families?

Answer. I heard Gen. Stansbury say to several persons, that it was a great pity for those of the prisoners who had families. This he particularly did, when they were beaten, and were crying out; and when Thompson was crying out, he said, is there no person to assist that man? upon which Dr. Mitchell got off his horse in order to assist him.

12th. Did the sheriff in your hearing request Gen. Stansbury or any other person to go into the gaol with him for the purpose of defending it?

Answer. I did not hear him make such a request either of Gen. Stansbury, or any body else. He never spoke to us, nor did I see him after we got on horseback.

JOHN H. SCHULTZ.

When Gen. Stansbury got off his horse to see the gentleman who was lying before the gaol steps wounded, who was in company with you? Did Capt. Green at the same time dismount from his horse and go with or follow Gen. Stansbury? In what state of health is Capt. Green?

Answer. At this time Capt. Styles and Capt. Green were in company with us—Green immediately followed the General, when he dismounted, and came back with him. I am informed that Gen. Green is desperately ill, and is without consciousness.

Interrogatories to Mr. Schultz.

Inter. 11th. Where is Hart's at which you fed your horses?

Answer. It is in Baltimore, opposite Christ Church.

Inter. 12. What o'clock was it when you reached there?

Answer. About two o'clock.

Inter. 13th. How long did you stay there?

Answer. About one hour.

Inter. 14th. Did you go by the gaol when you left Hart's to go to Jones's?

Answer. Yes.

Inter. 15th. When you went by the gaol did you not see a tumultuous meeting at the gaol?

Answer. No—only a few men in the yard—they appeared to be peaceable; I did not ask what they were doing there; we did not stop; we overtook none, but met some returning. I did not know that General Stricker or the Mayor was there.—

I did not hear before we passed the gaol that any prisoners were committed there on that day. I had not heard of any disturbances in the city on that day. We saw nobody but Mr. Hart, and one other person at his house.

Inter. 16th. When you were returning from Jones's did you hear nothing about the tumultuous meetings in the city of Baltimore?

Answer. After we had passed the gaol we met some persons, who asked us if I had seen many persons at the gaol? I said no, and asked why? they said, that some persons had been committed to gaol, and asked us if there was a mob there. I answered no—and did not inquire who they were that were committed. At Jones's we heard nothing but what I have stated. On our return, we stopt at an acquaintance of Gen. Stansbury's, where we heard that the gentlemen in Charles-street were carried prisoners to the gaol. During the time we stopt to feed at Hart's, till we left there, Gen. Stansbury was with me, and not out of my company. At the General's acquaintance we heard nothing further about the prisoners, or any thing of an attempt to break the gaol; from thence to the gaol we saw no person with whom we conversed. We were riding along the road by the gaol, when Gen. Stansbury remarked, that he wanted to see General Stricker. We saw Gen. Stricker sitting on the grass. Gen. Stansbury, when he went up to Stricker, asked him what was the matter here? Stricker told the General, that a parcel of men were taken from Charles-street—a person present, whom I did not know, read the names of the persons committed, which, I think, was the first knowledge he had who the persons were. Gen. Stansbury expressed his surprise how they could get there, but said nothing for them or against them. At this time Mr. Merryman came up.

Inter. 17th. Did you hear all the conversation which Stricker and Stansbury had?

Answer. I did.

Inter. 18th. Did any body but yourself and Gen. Stansbury set down with Gen. Stricker, or was any body else present during the time you set on the grass?

Answer. There was about a dozen persons sitting down with us when Merryman came up.

Inter. 19th. Could Gen. Stansbury have had any conversation with any person which you did not hear?

Answer. With no person except Mr. Kell.

Inter. 20th. During the evening, did you not hear Gen. Stansbury approve of the conduct of Mr. Hanson and his friends in defending themselves in the house in Charles-street?

Answer. No, I did not hear him say any thing about it.

Inter. 21st. You say you were with Gen. Stansbury the whole time he was at the gaol, did you hear him address any remark to the Mayor?

Answer. I did not hear him say any thing in the gaol yard, but when we were outside, on horseback, and the Mayor was inside, near the mob, I heard Gen. Stansbury say, "Can you not stop the mob, Mr. Johnson?"—to which he replied, I try all I can—this is all I heard.

Inter. 22d. When did Col. Biays come to you?

Answer. He came to us on horseback, from town a. I expect, and after the gaol was broke open, and the bells had rung—and while we were standing at the corner of the gaol, and at the time we noticed the mob beating Thompson—during the whole time I neither heard Stansbury, Biays, Styles, or Green, express any opinion relating to the conduct of those persons who were taken from Charles-street and committed to prison.

DEPOSITION
OF
WILLIAM EICHELBERGER.

—

WILLIAM EICHELBERGER, being first duly sworn—

William Eichelberger's answers to the following Interrogatories.

Inter. first. I was present at the house in Gay-street only a few minutes, could not identify any of the persons engaged in destroying the office of the Federal Republican.

From the first to the fifteenth Interrogatories, have no reply to make.

Inter. fifteenth. I was present at the attack on the house in Charles-street from which the Federal Republican was issued; and late in the night, being nearly opposite to General Stricker's, when a party of men, amounting to 6 or 8, three of whom appeared to be armed, came down Charles-street with the intention, (as they said) "to return the damn'd tories fire!" when a party of us rushed out, intending to disarm them, and in the scuffle that ensued, one of them presented his gun immediately opposite my right breast, exclaiming, "she's cock'd, and by God I'll shoot you!" when I was in the act of presenting a pistol, he withdrew his gun and marched off.

To the 16th, 17th, 18th, 19th, and 20th Interrogatories, have no reply.

Inter. twenty first. I was present at the Gaol in Baltimore county when Messrs. Hanson, and Co. were committed, and immediately after they were imprisoned, the following dialogue ensued between Capt. Stiles, and his son John, to wit:

Father. Had you the rogue's march in coming out?

Son. No Sir!

Father. By God! I'd rather have lost two thousand dollars than have missed it —Who was committed besides Hanson?

(Here the son enumerated the names of the persons committed.)

Father. Then the Gaol shall be opened, and all those damn'd tories shall be hung in an hour.

Inter. twenty-second. I received verbal orders, as one of the members of the Baltimore Independent Blues, to arm and repair instantly to Gay-street, that no ammunition was necessary as we must depend entirely on the bayonet. I accordingly armed, and appeared at the appointed place, when after a considerable delay, we proceeded as far as Fish-street, when we were commanded to return, which order was reluctantly complied with.

Inter. twenty-third. Was nn guard at the post-office, but was not disturbed by any riotous assemblage.

Interrogatories put by Mr. Donaldson, one of the committee, to Mr. Eichelberger.

1st. When and where did you hear the conversation you have given an account of between Father and Son? Who were present when that conversation took place? Did you overhear the conversation, or were you a party in the dialogue?

Answer to first Interrogatory. I was not one of the party engaged in the dialogue, nor can I recollect any of the persons present; cannot say precisely what hour of the day it was.

2d. What officers of your company, and how many of the privates, paraded in Gay-street on the evening of the 28th July? How many members does your company consist of?

Answer to second. Cannot at present recollect the officers; present company consists of nearly 100 men; supposed the number present amounted to 20 men.

3d. When was it communicated to you that you were to turn out without ball cartridges?

Answer to third. About two o'clock on the day the party were committed.

4th. Was there or not a great crowd of people assembled at your place of parade in Gay-street, and did not that crowd accompany you on the way to Fish-street?

Answer to fourth. There was very few assembled, and they did not accompany us, our number being too small to excite particular attention.

WILLIAM EICHELBERGER.

DEPOSITION
OF
ABRAHAM HATTON.

ABRAHAM HATTON, being first duly sworn—

Inter. Did you see General Stansbury at the Gaol on the evening of the attack? If you did, what was his conduct and his language?

Answer. I did see General Stansbury on the evening of the 28th of July last, when the Gaol was attacked. I observed him talking to many people near the Gaol, but I did not distinctly hear what he said. After the Gaol was broken open, I believe General Stansbury went in with others. At the time of the beating of the gentlemen in the Gaol, or shortly after, I saw General Stansbury come out of the Gaol.

ABRAHAM HATTON.

DEPOSITION
OF
THOMAS KELL.

THOMAS KELL, being first duly sworn—

To the first twenty Interrogatories, I can say nothing of my own knowledge; I was not in Baltimore at the time of the riot in Gay-street, and only part of the time of that in Charles-street. I knew nothing of either until the following days, and then only what was generally spoken through the town.

Twenty-first Inter. I was at the Gaol from about three o'clock until sun-set of the day alluded to, when I, with many others, left it under the belief that no mischief would be attempted. Shortly after dark I heard the Gaol was attacked; I returned to it. On my arrival it had been broken; the mob was beating the two last persons who were injured that night. I remained there (with the exception of fifteen or twenty minutes) till about two o'clock. I did not know any of the persons whom I saw commit acts of violence, except one, against whom I have heretofore given evidence upon his trial for the offence. Of the murder of General Lingan, I can say nothing; the first time I saw him, was after he had been beaten; he then spoke, in consequence I believe of hearing threats of further abuse used by persons standing near him—he also sat up, spoke, and drank water, after he, with the others injured, were taken back to the room in which they had previously been. About half an hour after, he appeared to be fainting, was taken from his seat, laid down, and he instantly died—by what particular injury, or by whom inflicted, which caused his death, I cannot say. I conclude it to be unnecessary to detail the various instances of violence which I saw during the night, or the circumstances attending them, they are such incidents as usually accompany scenes of popular outrage.

Twenty-second. Late in the evening of that day, General Stricker told me, on the Gaol lot, that the military had been ordered out, and that they might have been there by that, the time of our conversing; that he had heard a few only had turned out, about thirty or forty, and it was thought best not to bring them to the Gaol. He borrowed my horse, rode into town for the purpose of stopping them. I did not afterwards speak with him, but concluded they were dismissed. Declaring the impression of myself, and many others with whom I conversed on the subject at the time, I did not believe there was any necessity for the military to march to the Gaol—I did not think the Gaol

would be attacked, and it was, without exception, the belief of all whom I heard speak on the subject, that the marching of the few militia who had turned out, to the Gaol, would have been an imprudent step—under these impressions, their dismissal was concluded on, and I suppose ordered. I cannot further answer this Interrogatory, except by saying that I have often heard people in Baltimore who compose part of the militia, say they never would turn out and expose themselves to danger, to protect persons who acted as these in the house in Charles-street.

Twenty-third Inter. I was at the post-office two nights, when considerable numbers were collected in the streets near it. The objects of the disorderly, there assembled, who were not numerous, was, as I heard amongst them, to get and destroy the Federal Republican news-paper said to be in the office; military guards were posted at the different avenues leading to the office, and continued for several nights. I saw General Stricker and the Mayor, with many other civil and military officers, using their influence in various ways, to restore peace and quiet—in this they were aided by the efforts of numbers of well disposed citizens. It was at several times a difficult matter to prevail on some of the militia to continue on duty. I heard much murmuring and swearing amongst some, that if they had known they were brought there, and were to be kept up all night, to protect, as they termed it, "the damn'd Federal Republican," they would not have turned out, others declaring they would not stay. The Mayor was spoken to by some in such language; he replied to them, "they were mistaken; that they had been brought there to protect the laws and government of their country;" and urged their duty to assist in preserving order and quiet. General Stricker was addressed, with similar unwillingness in some of the militia, to remain on guard; he strongly remonstrated against their mistaken impressions, and told them (I thought indignantly) that any man who refused to share in the duty he was performing, as well as themselves, might go home—It had a good effect. The united efforts of the military and civil officers, and guards, with the discountenance shown by numbers of individuals, induced the idea of assailing the post-office, or rather of getting the Federal Republican news-paper out of it, to burn or destroy it, to be abandoned—The latter was, I am satisfied, the object of the tumultuous and disorderly at that place.

Interrogatory first. When at the Gaol did you see the Mayor or General Stansbury? if you did, had you any conversation with either of them? If you had state the same.

Answer to first Inter. I frequently saw both General Stansbury and the Mayor during the afternoon of my being at the Gaol. I spoke once or twice with the Mayor upon the occurrence before us, but I really have not any recollection of the particulars

of our conversation. General Stansbury, in my presence, and that of two or three others, spoke of the persons then in Gaol, who had been conducted there from Charles-street, and said that the house in Charles-street ought to have been blown down, and every man, or rascal, of them put to death—this expression was not in the hearing of any persons who were of disorderly character, and J. H. Bently, the Gaoler, was the only person within hearing, upon whom I could suppose it might have any improper impression. I did not believe the Gaoler was a man likely to betray his trust. Being asked to say, whether this remark of General Stansbury was not likely to have the effect of repressing exertions to protect those persons, I answer, as far as General Stansbury's sentiments were regarded by those who heard them, they would necessarily have that effect; the persons present, except one, were politically and personally his friends, those persons had not, to my knowledge, been engaged, either before or after, in allaying the popular ferment.

Inter. second. Did you observe, or have you any reason to believe, that General Stansbury excited any of the mob against the prisoners, or expressed an opinion to any of them that the prisoners deserved to be maltreated?

Answer to second Inter. I did not, and have not—I did not converse with General Stansbury at any other time during the day, nor did I hear him speak of them after.

Inter. third. When was there any observation made inducing a belief that the attack upon the Gaol was the effect of any influence exerted by persons who did not appear in it.

Answer to third Inter. The only circumstance which I was acquainted that could suggest such an idea was some expressions made by some of the disorderly, in the following language: Biays, and the Point Boys, will be up by and by—and I think some added, with a Gallows. Mr. Biays did ride to the Gaol, I believe alone; I saw him and spoke to him, but no persons did come in a body, nor did I believe there was any truth in the idea I heard so circulated among one parcel of disorderly persons.

Inter. fourth. Have you heard, or do you know, that the course of strictures pursued by the Federal Republican excited frequent remarks that the establishment ought to be silenced? If you have, by what descriptions of persons were the remarks made?

Answer to fourth Inter. I have frequently heard it said, that the publications in the Federal Republican were such, that it ought to be suffered to be printed or circulated in the city—those remarks were generally, if not always, made by persons who were governed more by their feelings of irritation at the publications in the papers, than reflection on the impropriety of using force to suppress it, and generally by persons in the middle or lower order of society—I do not mean to say, that those persons read that paper, or had any other knowledge of such pub-

lications, than as they may have heard them from others, or as they were detailed or commented upon in the Whig and Sun news-papers.

Inter. fifth. From the opportunity you had of remarking the characters engaged at the Gaol—of what nation were the principal part of those engaged?

Answer to fifth Inter. The persons engaged in the acts of violence at the Gaol, were from their dialects, generally Irish or German; most, if not all, were of the former description, whom I saw engaged in beating the injured persons.

Inter. sixth. Do you know, or have you heard, that any combination had been formed to destroy the property of or proscribe any of the citizens of your town?

Answer to sixth Inter. I have since the tumults in Baltimore been informed, that an association had been formed, of two or three hundred persons, before any of the disturbances took place, the design of which was, as I understood, to Tar and Feather the editors of the Federal Republican news-paper, or one of them; the time for this had not arrived when their office was destroyed—but I did not learn the names of any of the persons associated in that plan; the knowledge of it I derived from a person charged with aiding and pulling down the office.

Inter. seventh. Have you not remarked, that men who were not suspected were engaged in the attack on the Gaol?

Answer to seventh Inter. I have not expressed any such knowledge, yet I did entertain, and have expressed, suspicions of it, and I have said, that I had no doubt but half a dozen men might have been selected at the Gaol, who, if they would have resolutely opposed the attack, could have prevented any mischief, and many such I saw there inactive lookers on, whose aid to the Mayor I do believe, would have been successful; and I have strongly expressed regret and censure against them for not earnestly assisting him, as I had understood several were requested to do.

Inter. eighth. Have you heard any of the civil or military officers of the state approbate the riots or approve of the conduct of those engaged therein?

Answer to eighth Inter. I answer that I have no recollection of any.

Inter. ninth. Have you had any conversation with any of the magistracy or military of your town, in which a forbearance towards the rioters was inculcated from political considerations?

Answer to ninth Inter. I do not recollect.

Inter. tenth. Have you ever heard any reasons assigned by the magistracy for their indisposition to resort to measures of coercion to preserve the peace of the city?

Answer to tenth Inter. I think I have several times heard marks of that nature, generally followed with the further on

that it was not an agreeable thing to seek danger, or expose oneself to it, when it could be avoided.

Inter. eleventh. What is your opinion of the disposition of Gen. Bricker and Mr. Johnson, or either of them, with respect to the suppression of the disturbances?

Answer to eleventh Inter. From all I saw them do, and heard them say, I always was satisfied, and do now believe, that they were throughout actuated by worthy motives, and did sincerely regret, and use their best endeavors to put an end to the riots, and to restore peace and quiet.

Inter. twelfth. Did you attend the trials of any of the rioters in Baltimore? Did the attorney-general prosecute on part of the state? Did he make use of every proper and reasonable exertion to elicit the truth?

Answer to twelfth Inter. I attended nearly all those trials, was counsel in most of them; the attorney-general did prosecute on the part of the state. I find difficulty in answering the residue of this Interrogatory, with the certainty of doing justice to that officer, or satisfactorily to myself. I thought on several of the trials, and I knew in some, that appropriate questions to many of the witnesses (if truly answered) must have been followed by the disclosure of much more pertinent and pointed testimony than was given by them. I acquired this knowledge from the persons and the witnesses.

Inter. thirteenth. Did any occurrence arise in the course of the trial inducing a belief of his indifference as to the result of the trials? If so, mention the same Interrogatory.

Answer to thirteenth Inter. None that I recollect, unless the common case, that a Lawyer who don't address the Jury is supposed indifferent about the result, can be considered such an occurrence—the general course of the trials was this—The attorney-general stated, or read, to the Jury, the law relating to the charge, and the outrageous character of the offence, and stated what he expected to be proved; the witnesses were then heard, and on the part of the accused it was in most instances proposed by their counsel, to submit the cause to the jury, and it was done—which is an usual course of proceeding.

Inter. fourteenth. Had you any conversation with the attorney-general as to the impracticability of convicting any of the rioters? If you had, when did the conversation take place, and the nature thereof?

Answer to fourteenth Inter. Upon some acquittals which were thought extraordinary by the attorney-general and myself, we had some conversations, in which he remarked, that if the jury would not be satisfied with the testimony before them, he did not know what would satisfy them; and added that White's case, which he alluded to, was very strong against him; and he despaired

of convicting them—this took place on the days of the acquittal of the persons alluded to.

Inter. fifteenth. Are you in the habit of attending the court of Oyer and Terminer and General Gaol Delivery of Baltimore? If so, is justice administered there in a manner calculated to produce respect and intimidate the evil disposed?

Answer to fifteenth Inter. I am, and have long been in the habit of attending that court—I think I am right in saying it is not.

Inter. sixteenth. Do you think that the question you allude to were such as properly grew out of the prosecution, or that it required a particular knowledge of what the witness could state in order to induce them?

Answer to seventeenth Inter. They were questions which would have suggested themselves as growing out of the case to some men astute in the examination of witnesses.

Inter. eighteenth. Do you then believe that an able prosecution on the part of the state would have produced a different result?

Answer to eighteenth Inter. I doubt if it would; for my impression is, that the jury would not have been influenced by the powers or argument of any one to convict; at least I formed this opinion after one or two of the trials had taken place.

Inter. nineteenth. Do you believe the police of your city defective? and if you do, in what particulars? and, in your opinion, how ought the defects to be remedied?

Answer to nineteenth Inter. I have long been sensible that the police of the city of Baltimore is defective as well in the want of powers in that corporation to enact many regulations useful and necessary, as in the like want of power to controul and direct the officers or constables by whom those regulations are, in numerous instances, to be carried into effect.

I am sensible also, that the people of Baltimore, as a community, need, and all considerate men desire, some more efficient system of criminal jurisprudence—what would be the best, is greatly conjectural. To make it the most useful it should be rendered as little exceptionable as may be to the community, who are to be ruled by it. Under these impressions I mention the following as out-lines of such a system.

A court of criminal jurisdiction, styled a Mayor's Court, the Mayor to be at the head of it, elected and commissioned for terms of two or three years, with continued eligibility to office. Place in the court with him, as assistant Judges, two law characters; appoint yearly a justice of peace in each ward to do magistrate's business; let none others do it; call them city justices; give to the court the appointment of all its officers, (Sheriff excepted) and all constables. If these officers are to be paid by the city, let the corporation fix the salaries; appoint the associate judges for short terms, but capable of being continued, and liable to removal, by the Governor and Council, upon the address

of three-fourths of the city council—Give to the Mayor, and to the associate Judges severally, power, under suitable limitation, to call out the military, or require it to be done—provide penalties for disobedience—and define on what circumstances they shall act offensively against the people.

Give to the corporation the powers contained in a printed bill relating to this subject, in the possession of many, with the additional one of opening new streets, and extending, straightening, or widening, old ones, with the assent of a majority of the proprietors of lots thereon.

DEPOSITION
OF
JOHN WOODEN.

JOHN WOODEN, being first duly sworn—

Interrogatories by Mr. Dorsey.

1st. Have you ever had any conversation with Gen. Stansbury, or any other civil or military officer of Baltimore, in which the conduct of the mob was approbated? or what was the conversation with Gen. Stansbury, as to the occurrences of the night of the 28th July 1812?

Answer to the first Interrogatory.

I was at Gen. Stansbury's house some time after the massacre at the gaol, when in conversation with the General, he informed me that he arrived at the gaol just about the time the mob was forcing the doors of the gaol, and that a certain John Mumma came up and held his horse, while he, Stansbury, went into the gaol; that immediately upon his entering, he discovered an old man, whom he supposed to be Lee or Lingan, in the hands of the mob; one man was raising him up, another beating him over the head with a large club; after several such acts, Stansbury steps up and touched the man who was giving the blows, and told him he had given him enough, and not to give him any more; he then desisted from beating him any more; that after the men were hove out, and the man whom they were beating he supposed was dead, he mounted his horse and rode off.

2d. *Inter.* Did Gen. Stansbury approve of the conduct of the mob, or use any harsh language about the prisoners?

Answer to 2d. He did not.

Inter. 3d. What led to the conversation?

Answer to 3d Inter. Being summoned as a witness against Mumma to Baltimore Criminal Court, and understanding Gen. Stansbury was also summoned; finding that Stansbury was not examined, some time afterwards at Gen. Stansbury's house, I said to him, you were not called upon—no said he, Mumma was innocent of the charge against him, for when I went up to the gaol, they were, I think, just about the act of breaking in, and Mumma held my horse till I went into the gaol; there they had got this old man, either Lee or Lingan down, and some were

pulling him up, while others struck him on the head; and then continued as I have before stated.

3d Inter. Do you know, or have you heard, of any meeting or plan agreed upon for the destruction of persons or property?

Answer to 3d Inter. I have not.

Interrogatories put by Mr. Donaldson.

1st. Did Gen. Stansbury express to you any satisfaction at the incident which you say he related to you?

Answer. He did not seem either pleased or displeased, he merely stated what I have related. He said, he thought the man must have been killed by the blows he received.

2d. Did you understand from Gen. Stansbury, whether he took any other share in the transaction at the gaol except as you have stated?

Answer. No, I did not.

3d. Did you understand whether when Gen. Stansbury was at the gaol any other person or persons were in company with him?

Answer. I don't know--Gen. Stansbury did not mention it to me.

4th. Was any person present when you had this conversation with Gen. Stansbury?

Answer. Major Isaac Dickson was present, and heard the greater part of what was said.

DEPOSITION
OF
JAMES BLAYS, Jr.

JAMES BLAYS, Jr. being first duly sworn—

Answer to Inter. 1st. Yes, I do.

Answer to Inter. 2d. I was on Fells-Point, (my place of residence) when the house was first attacked; but hearing of it about ten o'clock, A. M. I went up to the place, and discovered that the house was nearly demolished. I did not see either magistrate, constable, or judge there, that I knew to be such, neither did I see any exertions made to stop the riotous proceedings. I did not hear of any demand made on the military.

Answer to Inter. 3d. I would judge the number of persons engaged to be about 150. I do not know how long they remained together, as I left them about eleven o'clock, at which time they were still employed.

Answer to Inter. 4th. I do not know whether the persons employed were natives or foreigners.

Answer to Inter. 5th. I do not know whether the attack was or was not preconcerted.

Answer to Inter. 6th. I do not.

Answer to Inter. 7th. I should judge about three thousand dollars, including printing apparatus, &c.

Answer to Inter. 8th. I do not know.

Answer to Inter. 9th. I was not present at the dismantling of any of the vessels alluded to, neither do I know by whom they were dismantled.

Answer to Inter. 10th. I do not know that the interposition of any of the officers was required.

Answer to Inter. 11th. I do not.

Answer to Inter. 12th. I know nothing concerning the attempt or design alluded to in this Interrogatory.

Answer to Inter. 13th. I do not know any thing of such combination.

Answer to Inter. 14th. I have not.

Answer to Inter. 15th. I was not; for at that time I was out of the city.

Answer to Inter. 16th. I had not, (for living on the Point) I heard little or nothing said about until after it happened.

Answer to Inter. 17th. I do not know.

Answer to Inter. 18th. I do not know, neither do I know whether or not the brigadier has ordered any investigation into the conduct of any of the officers.

Answer to Inter. 18th. I have not.

Answer to Inter. 20th. I have not.

Answer to Inter. 21st. I was. The circumstances with which I am acquainted are these—In the evening, about sun-down, I was in an open lot back of the gaol; after staying there about five or six minutes, I saw a crowd of men approach the back door of the gaol, echoing loud huzzas; after which the door was struck several times with something heavy, presently the back-door was opened, and the crowd rushed in, and I (led by curiosity) entered after them. I then got upon the stairs inside the gaol, where I remained while I was in the gaol; while I stood there, some person or persons, with hammers, &c. attacked the outer door of the prisoners room, which they soon forced, using a sledge hammer for the purpose, and then they attacked the inner door, which they also forced; after which some men rushed out of the room, amongst the crowd, and a scuffle ensued, in the midst of which the lamp was put out by somebody; but a cry of *more lights*, soon brought some candles lighted from the keepers room, which passed over the heads of the people. The sight that then presented itself shocked my feelings to an extreme degree. Some men were dragged out of the prison room, and beat violently on the head with clubs; some of the victims fell near the outer door of the room, while some reached the front door of the prison, and there was knocked down; others got outside of the gaol before they fell; but such was the confusion and noise that I could not recognize any body that I know. As soon as the bustle a little subsided, I left my situation and descended to the outside of the gaol, and was proceeding on my way home, when my attention was attracted by a crowd of men; I approached it, saw a man apparently beaten on the ground in the midst of them; I could not learn who he was, therefore continued my way towards home, where I arrived without meeting with any other occurrence of note.

Answer to Inter. 23d. I do not know any thing of the mob that collected round the post-office in Baltimore, only that I was on duty there as a soldier one night after the assemblage of the mob, but that night there was no appearance of any collection except the military.

Answer to Inter. 24th. I believe all the knowledge I have of the mobs and riots of Baltimore is contained in my answers as above.

JAMES BLAYS, JR.

Annapolis, December 2d, 1819.

DEPOSITION
OF
JAMES HUTTON.

JAMES HUTTON, being first duly sworn—

Interrogatories to James Hutton.

1st. Were you or not present in Charles-street on the morning of the 28th July last, when the party in the house in that street surrendered to the civil authority, and were conducted to gaol? Were you or not solicited on that occasion by Edward Johnson, Esq. to join with others in forming a guard for the protection of the persons of those who had so surrendered? State whether you did not hear or observe Mr. Johnson active and zealous in endeavouring to induce others to join in forming such guard. How was such guard arranged? Was it not composed of unarmed citizens walking next the armed guard to keep out the pressure of the mob?

Answer of James Hutton.

That on the 28th of July last, about six o'clock in the morning, I went into Charles street, where the crowd had assembled, there saw Mr. Johnson, who desired me to assist in forming a circle before the door of the house where Mr. Hanson and his associates then were, for the purpose of protecting them on their way to the gaol; but the party in the house delaying to surrender themselves for some time, I left the circle, and returned home. The next I saw of them was their passing my house on the way to the gaol, and I observed Mr. Johnson, the Mayor, in the circle, walking with those persons who were about to be committed. Mr. Johnson appeared to me to be active and zealous in exertions to protect the prisoners from the mob. The guard was composed of armed and unarmed citizens.

2d. State particularly all you observed with relation to the conduct either of Mr. Johnson, Gen. Stricker, or Major Barney, on the morning of the 28th of July.

Answer. I saw Mr. Johnson, Gen. Stricker, and Major Barney, at the house in Charles street, and they all three appeared to me to exert themselves to the utmost to protect the party in the house, to restrain the violence of the mob, and to afford a safe conveyance of them to the gaol.

3d. What in your opinion was the number of the crowd assembled in Charles-street when the escort moved off with the prisoners when you was there?

Answer. I was not in Charles-street when the escort moved off, but when I was there, I conjecture there were from 400 to 500 persons assembled.

4th. Did you observe with whom General Stricker and Mr. Johnson walked in the hollow square? State their names.

Answer. I do not know with whom those gentlemen walked, but have heard that Gen. Stricker walked with Mr. Hanson; and I saw some person walking with Mr. Johnson, whom I did not know—I saw Major Barney in uniform, on horseback, actively engaged in protecting the prisoners and the guard.

5th. From the whole conduct of Mr. Johnson and Gen. Stricker on that occasion, do you or not think they were animated with a sincere desire to save the prisoners from injury from the mob?

Answer. From all I saw, my impressions then were, and now are, that those gentlemen did every thing in their power for the protection and security of the prisoners, and that their conduct was sincerely actuated by the best motives to attain that end.

6th. If you have any knowledge of any other matter or thing connected with the late mobs and riots in the city of Baltimore, or the causes thereof, or the conduct of the officers, civil or military, of the city of Baltimore, with relation to the same, set forth the same as particularly as if specially thereto interrogated.

Answer. On the night the office of the Federal Republican was pulled down in S. Gay-street, I was sitting at my door, when hearing a noise, I accompanied some of my neighbours to said street to learn the cause of the noise—I there saw assembled a large crowd in that street, some persons were engaged in pulling down the office; it was about 9 o'clock in the evening; I went no nearer the office than the opposite side of the street, and did not know any person who was engaged in demolishing said office. Most of the persons then occupied in assailing the same, appeared to me to be boys, and not much progress had then been made in the destruction of the house. I tarried there but a few minutes, and then returned home.

I know nothing of what happened at the gaol, not being present. I consider the commotions in the city of Baltimore to have been produced by inflammatory publications in the Federal Republican—And, in my opinion, during such commotions, the civil and military officers of Baltimore did every thing in their power to maintain the laws, preserve the peace of the city, and protect the lives and property of the citizens.

JAMES HUTTON.

Interrogatory by Mr. Bayly.

Inter. You say that you consider the commotions in Baltimore to have been excited by inflammatory publications in the Federal Republican—Say whether you consider or believe pub-

ications in other papers had not a tendency to excite the commotions, and whether you believe the boys, which you speak of, were excited by the publications in the Federal Republican or were urged on by men?

Answer. I cannot say any thing of the cause more than the answer I have given.

Interrogatories by Mr. Dorsey

Inter. Did the Mayor, Stricker, or Barney, attempt to disperse the mob, either by threats or force, or did they only attempt the preservation of the persons in the house, by giving them safe conduct to the gaol?

Answer. I believe they done every thing they could for their safety, the few minutes I was there; I did not hear them ordering the crowd to disperse.

Inter. Do you not believe that the inflammatory publications in the Democratic papers excited the murder in the Gaol? Have you ever known any rioters or disturbers of the peace arrested by the agency of the Mayor? Were not the mass of the persons engaged in the mob of that description of persons who are not in the habit of reading news-papers?

Answer. I know nothing.

Inter. Do you know, or have you heard, that any combination was formed either for the destruction of persons or property in your town, or that the conduct of the mob was excited or approved by the civil or military officers?

Answer. I believe not.

DEPOSITION

OF

NIXON WILSON.

NIXON WILSON, being first duly sworn—

Answers of Nixon Wilson.

To the first Interrogatory, he says, that he was not present at the destruction of the house in Gay-street, and did not know of it until the next morning.

To the 2d, 3d, 4th, 5th, and 6th Interrogatories, he hath no knowledge.

To the seventh, he says, that the probable value of the house destroyed was two thousand dollars.

To the 8th, 9th, & 10th Interrogatories, he has no knowledge.

To the eleventh Interrogatory, he answers, that he knows of the destruction of two small houses and a back building, on Federal Hill, by the mob; that one of the most active persons in doing the mischief, was a carpenter named Daniel Wilson; that this was soon after the destruction of the house in Gay-street; that the probable value of the property destroyed at this place was eight hundred dollars; the cause assigned was, that the black people who owned the house had used threatening language about the whites, saying, if all the blacks were of his opinion, they would soon put down the whites. Mr. Abell, the magistrate, was present, and, as well as this examinant, tried to disperse the mob, and stop the destruction of the property, but without success.

To the twelfth Interrogatory, he says, that the mob threatened to destroy the African church; that he saw the collection of people as he went up, and heard one say it ought to be torn down, but it being reported that a number of persons were inside, and determined to defend it with arms, the mob dispersed without doing any mischief.

To the thirteenth Interrogatory, he says, that he knows nothing except by report—That he one evening saw the mob at the house of one Hutchins, who lives near the Circus, and understood they were looking for him to tar and feather him—after some time the mob gave three cheers and dispersed.

To the fourteenth, he says, that he has no knowledge, except of Mr. Abell's presence at the destruction of the property on Federal Hill, to try to prevent it, and of the Mayor being at Hutchins, as he was informed.

To the fifteenth Interrogatory, he says, that he was informed on the 27th of July, by one Kelly, a constable, that the Federal Republican was printing in a house in Charles-street, and that an attack was to be made on the house that evening. About 10 o'clock at night of the same day, he heard several guns fired; that at the time he was in bed, but recollecting the conversation with constable Kelly, he immediately got up and proceeded to Charles street, where he met a man named Garrett, who was calling to the mob to go on, that they were all damn'd cowards. He went on further, and met with William Lock, who informed this examinant that they never fired from the house without calling out three times. Examinant then went on, until he got to Thomas C. Jenkins's house, next door to the house occupied by Alexander C. Hanson and his friends.—That after standing there some time, a person who was then called some Doctor Johnson, made use of violent, loud and abusive language towards the people in the house, and finally entered the house, the door of which had been previously taken open, followed by one or two persons. This examinant heard the call "to close the door," after which a gun fired, and the person called Johnson bounded outside of the curb-stone, when it was proclaimed that he was killed, and the mob carried him across the street to John Ober's alley. This examinant went up to him to see whether it was Doctor Johnson or not, and soon discovered that he was not Johnson, but a person called Doctor Sam. This examinant returned towards the house occupied by Mr. Hanson and his friends, and found the door still open, and a person standing in it about the middle of the passage. The cry of "clear the door" was still continued, and examinant heard another gun fired, which wounded a man named Smith, who was carried off by persons unknown to examinant. About this time, which he thinks was between one and two o'clock, Samuel Hoffman came out of the house, and was crossing the street, when he was knocked down near to this examinant; one of the persons concerned was named Grey, to whom dependent called by name "not to kill him," when the party dispersed. As Hoffman rose from the ground, some of the mob came up again, and one knocked him over, and again they seemed to disperse. But a third party coming up, hurried off Hoffman, and examinant lost sight of him, and the mob attacked Andrew Boyd who had been in the house. Some of the mob called Boyd a damn'd tory, to which he replied that he was no tory, and he who called him so, was a damn'd liar, or words to that effect.—A man named White-lock, a plaisterer, was one of the party. The mob about this time called for a piece of cannon, and this examinant heard a person named Jones, a carter, call out "follow me, I will shew you where to get a cannon—we will find one at Swarthout's." A party went off, but not succeeding at Swarthout's, they pro-

cured one belonging to Captain Buffum's, late Harris's, company, and brought it into Under's alley. Before the arrival of the piece of artillery, a party of the mob got in front of the house, and affected to abuse the mob, which seemed to be intended to attract the notice of the party in the house, and one of the mob fired into the house, and this examinant heard some person fall, who he supposed was killed or wounded by said shot, and the party in the street shouted for joy. After the piece of artillery was fixed towards the house, John Gill, a taylor, mounted on it; this examinant requesting him not to let it be fired, which he promised should not be done, if he could prevent it. Gill proclaimed himself captain of the gun, and said no man should fire it. A man named Long put his finger on the touch-hole, and said no person should prime or fire it, unless he was stronger than himself.—A certain Thomas Wilson, the editor of the *San* news-paper, came up three different times and ordered it to be fired, but Long would not let it be done. Major Barney and some of the troop of horse, were in the street at this time. Wilson had pistols, which he said he had taken from young Hoffman, and he also had a sword at his side, and was a violent, furious member of the mob. He says, that soon after day-light, he went home, eat his breakfast, and returned, where he found a collection before the house, and examinant understood the persons in the house were to surrender and go to Gaol, on a promise of protection from the Mayor and General Stricker. This examinant says, that prior to this, as he was going home, he met James P. Heath, and shook hands with him, which was observed by Kelly, the constable, before named, who insolently asked this examinant how he dared to speak to such a damn'd rascal, or some such expressions—and also called Heath a damn'd tory. Examinant went to his shop after breakfast, and got a gun, which he gave to a young man for the purpose of assisting in guarding the party to Gaol.—He heard that a party was collected in the yard of Barney's Inn, with arms, who were determined to rescue the prisoners from the guard, and to put them to death. This examinant, feeling unhappy, went to the corner of Calvert and Market-street to observe what was going on, when a young man named Vanwyck, the second son of William Vanwyck, rode up and observed "there would be fine fun, as a large company was coming from the Point to seize the persons and to put them to death."—This examinant said the more shame for them. When the young man rode off, examinant followed the prisoners to Gaol, observed persons taking up stones and brick-bats as if with intention to throw, but he saw none thrown—he then went home. About 2 o'clock, P. M. this examinant went to the house in Charles street, and found a number of men and boys engaged in destroying the furniture and the house, and he saw no magistrate or constable to stop it, although it appeared to him that

very few might have done so. When examinant first went to the house in Charles-street, he saw Mr. Abell, the magistrate, endeavoring to disperse the mob. In the course of the night he saw John Alsquith, the magistrate, using his exertions also. He saw no other magistrates employed in the same way through the night, nor any constable. In the morning of the 28th, the Mayor came up, and he also saw the Brigadier General Stricker in the crowd, and Colonel Small, about the time the party were leaving the house; and he heard some of them say they would protect said party at the risk of their lives, and he thinks it was Colonel Small. This examinant says, that after giving his testimony to the grand jury of the disasters above stated, he was threatened by Kelly, the constable, who called this examinant a tory, and said the Tories must be all transported, and such like things.

To the sixteenth Interrogatory, he says, that he heard from Kelly, the constable, that an attack would be made on the house in Charles-street, but further he cannot answer to this Interrogatory.

To the 17th and 18th, he has no knowledge.

To the nineteenth Interrogatory, he says, that he hath no knowledge—after the attack was over, he heard a Printer in Niles's office say, that the attack took place sooner than was contemplated, from which he inferred that a plan had been digested.

To the twentieth Interrogatory, he has no knowledge.

To the twenty-first Interrogatory, he says, that he was not present and has no knowledge.

To the twenty-second Interrogatory, he says, that he has no knowledge.

To the twenty-third Interrogatory, he says, that he saw a collection at the post-office, but he did not remain long, and can give no information of their proceedings.

DEPOSITION
OF
CHARLES BURRALL.

CHARLES BURRALL, being first duly sworn--

The answers of Charles Burrall, of the city of Baltimore, to sundry Interrogatories propounded by the honourable Committee of Grievances and Courts of Justice, of the Legislature of the State of Maryland, now sitting at Annapolis.

To the first Interrogatory, deponent answers, that he does know of the destruction of a house in Gay-street, in which the Federal Republican was published; he thinks it was on the night of the twenty-second of June last, and not on the twentieth as mentioned in the Interrogatory.

To the second Interrogatory, deponent answers, that on the evening of the destruction of said house, he was standing in the street near the post-office, in company with Mr. Isaac Aldridge, when Judge Scott came to them, and informed them that there was a mob in Gay-street destroying the office of the Federal Republican, and summoned them to attend him as a *posse comitatus* to aid him in the suppression of the mob. That deponent inquired of him whether he had a right to arm, and was answered in the affirmative. That deponent, in company with Mr. Aldridge, attended Judge Scott; that on their way he summoned several more of the citizens; that on their arrival at the house, he pressed forward into the crowd, remonstrating against their conduct; that after he had been in the crowd a considerable time, among those who were engaged in demolishing the house, where deponent supposed the Judge incurred much personal danger, deponent saw Mr. Samuel Hollingsworth, and Mr. William Jones, each hold of an arm, assisting the Judge out from the crowd. Deponent does not recollect seeing any other officer, civil or military, endeavour to suppress the mob, nor does he know whether the military were ordered out.

To the third Interrogatory, deponent answers, that he saw many persons engaged in the destruction of the house and property, but is unable to form a correct estimate of their numbers. He does not know how long they continued together in the destruction of the house and property, or of what description of citizens they consisted.

To the 4th, 5th, 6th, 7th, and 8th Interrogatories, this deponent answers and says, that he knows nothing of his own knowledge.

To the 9th and 10th Interrogatories, this deponent answers and says, that he knows nothing but from the reports of others.

To the eleventh Interrogatory, this deponent answers and says, that on the night of the destruction of the house in Gay-street, he thinks about 2 o'clock, A. M. he saw a considerable number of people march up St. Paul's Lane with a drum beating—that they halted opposite the office of the Federal Gazette, that the word was given to attack, while others called out no, no! that a number of them ran to the door of said office, and one of them beat in a pane of glass over the door with a club, as he believes, while others appeared to endeavour to force the door—That there appeared to be a division of sentiment among them, whether they should destroy the office or not—and it appeared to this deponent that a majority of them were against it. That from the office of the Federal Gazette they marched a little higher up the street, and halted opposite the house of Judge Scott, where they appeared to be deliberating on something, which deponent did not distinctly understand—that he heard one of them observe, that if the Federalists had the same power they would not do it, or words to that effect. That from St. Paul's Lane, they marched into Chatham-street, with drum beating, and deponent heard no more of the mob that night.

To the 12th, 13th, and 14th Interrogatories, deponent answers and says, that he knows nothing of his own knowledge except as before stated of Judge Scott.

To the 15th Interrogatory, deponent answers, that he was not present at the attack on the house in Charles-street—he heard the discharge of guns, but did not go into that street until the next morning, he thinks about 6 o'clock, A. M. a few minutes before the arrival of the Mayor. That he saw the Mayor converse with Gen. Stricker opposite the house of the latter, and go from thence with him to the house which had been attacked. That he saw the Mayor stop near a cannon that stood pointed at the house, but was not near enough to hear what was said. Deponent saw John Montgomery, Esq. Attorney-General, Major Barney, and several other military officers, before the house, but knows nothing of their agency in the affair, farther than that he saw those that were in the house marched past him in the street, escorted by them on their way to the gaol.

To the 16th Interrogatory, deponent answers, that he had no other reason to suppose the house would be attacked than from current reports of the preceding day that such an event was apprehended. Deponent has no knowledge of any persons calling

on the Mayor, or the civil or military authorities, to adopt measures either of precaution or protection.

To the 17th, 18th, 19th, 20th, 21st, and 22d Interrogatories, deponent answers, that he was not at the gaol, and that he knows nothing of his own knowledge except seeing military in the streets.

To the 23d Interrogatory—deponent being post-master of the city of Baltimore, answers and says, that for several days prior to the 4th of August, he had expected the Federal Republican would be sent by the mail from George-Town to Baltimore, and had apprehended fresh disturbances on its arrival. That immediately after the arrival of the mail which brought the Federal Republican, he thinks it was on the 4th of August, a number of applications were made for the paper, and from the appearance of some of the applicants, this deponent was induced to believe they could not be subscribers to the paper, and that their object must have been to ascertain whether it was in the office or not, which confirmed deponent's suspicions that an attack on the office was meditated by the mob, and caused him to go immediately to the Mayor's office to request of him the adoption of some measures of precaution and defence. Not finding the Mayor in his office, deponent went to the office of James Calhoun, Esq. where, as he believes, he found Mr. Calhoun, the Mayor, James A. Buchanan, Esq. Gen. Stricker, Lemuel Taylor, Esq. and Major Calhoun, to whom he expressed his apprehensions. Some of these gentlemen at first seemed to think his fears not well founded, but upon further reflection, concurred in opinion with deponent, that danger to the post-office existed, and determined to provide for its defence by calling out the militia. That deponent then returned to the post-office, where he continued until evening, when the Mayor and Col. Biays, appeared with a squadron of horse in Market-street, opposite the end of St. Paul's Lane, at the same time, or very soon after, there also appeared a large concourse of people, which deponent believes to have consisted of the mob and of spectators. That deponent observed much commotion in the street, and that the Mayor and Col. Biays appeared to be actively and zealously engaged in endeavouring to disperse them. About this time, as deponent thought, he heard an order given to the horse to charge; that he observed quick movements in the military and people, and saw one man closely pursued by a dragoon along the wall of the Bank up St. Paul's Lane, where he ran against a pump opposite the post-office, that he recovered himself, and turned the corner of the wall, and ran down the alley leading to the Mechanic's Bank, being closely pursued by the dragoon.—About this time, as deponent supposes, Gen. Stricker and Col. Sterett arrived with a considerable body of Infantry, who were stationed in front of the post-office, at the intersection of St.

Paul's Lane with Market-street, and with Chatham-street, in the alleys leading to the post-office. Deponent observed people collected at the door of the post-office, who he believed were of the mob, as one of them had a large bludgeon in his hand and deponent heard Gen. Stricker order them away, which order was disregarded. Soon after this, when deponent was in his parlour, a person, to this deponent unknown, entered the room, and informed him that the Mayor wished to speak with him; deponent went to the Mayor, who was sitting on his horse nearly opposite the door of the post-office. He observed, Mr. Burrall, we are of opinion that your office cannot be defended, or words to that effect, and proposed to take the papers out of the office, and keep them that night; and that deponent should return them to Washington in the morning. Deponent replied, that the office *must be defended*; that he could not give up the papers; that he was under the obligation of an oath not to do it; and if he did, he should be subject to fine, imprisonment, and a disqualification from ever holding any office of profit or trust under the government, and that the editors of the paper would prosecute him, or words to this effect. The Mayor, as deponent believes, spoke of a defection in the military, and told him that he could not rely on them for support, and that it was his opinion that deponent's house, or any other house in the city which might contain the Federal Republican that night, could not be defended, and that the circumstances of the case would justify the measure, or words to that effect. Deponent replied, that in his opinion they would not, and that if he returned the papers they would be sent back. The Mayor asked if they could not be kept there—deponent replied, they could not be kept there, that the postmaster-general could not detain them; that the President himself could not detain them, and that nothing but an act of Congress could deprive them of their rights in the mail. If you adhere to the measure you must make a demand in writing. Pointing to a group who were standing at the door of the post-office, deponent observed, these men are of the mob, we may be overheard, this is an improper place to settle this question: will you dismount and come into the house? He dismounted—Deponent then went to Gen. Stricker, who was sitting on his horse at some distance from us, and requested him to dismount also—he dismounted, and deponent conducted them to his parlour, accompanied by Lemuel Taylor, Esq. When they entered the room there were people in it, whom deponent requested to retire, and bolted the door. Deponent then renewed the subject, and was repeating the arguments which he had before used with the Mayor, when Mr. Taylor interrupted him, this deponent, by observing, Burrall, you are right, by God your office must and shall be defended—and sir, I pledge myself to you that it shall be defended,

would to that effect. Gen. Stricker also observed, that the place must be defended, and in this opinion Mr. Johnson also concurred.

Deponent begs leave here to remark, that in his relation of this transaction he is not conscious of having omitted any thing material, and that the foregoing conversations are substantially correct, although he may not have repeated the exact words.

After the question of defence had been settled, deponent thinks he did not go out of the house during the night, he being engaged in providing refreshment for the military, and therefore cannot relate the particulars of what took place in the street afterwards, except that he heard those who were assembled at the door of the post-office ordered away, and heard them murmur and say, that they had as good a right to the street as the military, or words to that effect—And also that, in the course of the night, he heard disturbances in the streets where the Infantry were stationed, and frequent calls to arms.

The military, as deponent believes, were ordered out six nights in succession for the defence of the post-office, and thinks, from information derived from the officers, that on one of those nights there were from six to seven hundred men under arms, with about sixteen pieces of artillery. Deponent being much indisposed, deprived of sleep, and harrassed by day as well as by night, cannot undertake to state many particulars of the transactions except those on the first night as before related. It appeared to him, that the officers and men generally, turned out with alacrity, and persevered with great zeal and patience; and he has no hesitation in expressing his belief, that if the military had been a few minutes later in their arrival the first night, his office would have been violated by the mob. After it was deemed unnecessary any longer to require the attendance of the men, they, as this deponent believes, were ordered to hold themselves in readiness to turn out on the discharge of a cannon that was stationed in the vicinity of the post-office, with a guard, to give an alarm in case of danger—and the Mayor, John Montgomery, Esquire, General Stricker, Major Barney, Major Calhoun, and Lemuel Taylor, Esq. or some part of them, attended at the post-office for several nights: and this deponent begs leave to express to the officers and men in general, but particularly to the Mayor, Gen. Stricker, and Major Barney, the high sense he entertains of the obligation he is under to them for their great attention to the preservation of the post-office.

To all the questions which have been propounded to this deponent, relative to the mobs and riots in the city of Baltimore, and as to his knowledge of the interposition of civil or military officers, he has, as he observes, already fully answered, except as to certain conversations inquired of in the special interrogatories exhibited to him; he would, therefore, wish to know,

whether this honourable committee now require of him to relate to them any conversations which may have passed between any officers, either civil or military, at his house, after the military had been discharged, but before all apprehension of danger to the post-office had subsided, relative to their own conduct in the suppression of the mobs and riots; because if they do, he has an objection to answering them, upon the ground that those conversations might have been considered confidential, though not particularly directed to him. He therefore begs leave to be excused from relating any such conversations which may have taken place under his roof.

The Committee of Grievances having considered the objection made by this deponent, to relate any conversations which have taken place at his house in his presence, by the officers civil and military of the city of Baltimore, relative to their own conduct during the late riots, and which might have been considered as confidential; and having decided that he is bound to relate the same, this deponent, in answer to the said special Interrogatories, further says—That one evening, while the guard was continued as before stated, when Robert Bowie, Esq. late Governor of Maryland, was at his house, the Mayor was relating the occurrences which had taken place during the mobs and riots in the city of Baltimore, and speaking of the transactions which had taken place at the post-office, he said, "There was a defection in the military—that they accused him of deceiving them, and if they had known they had been called out to defend the Federal Republican, they would not have turned out, and that they would not support him," or words to this effect—That in consequence of this defection, Gen. Stricker, Col. Sterett, and himself, determined to take the papers out of the office, and keep them that night, and that this deponent should return them to Washington in the morning; but on his proposing it to this deponent, and hearing his objections to the measure, it was changed, and that they then determined to defend the office at the expence of their lives, or words to this effect. That deponent observed, he had never disclosed this transaction, and begged leave in the presence of the gentlemen present to declare, he had never disclosed it. He then asked the Mayor who he said had agreed with him to propose the measure? He replied, Gen. Stricker, ~~for~~ Sterett, and himself. On this evening, neither Gen. Stricker or Col. Sterett were present, when the above conversation took place.

Deponent also remembers to have heard the Mayor say, that he had a list of about twenty of the principal rioters, who either ought or must be hanged; but on what particular occasion this observation was made he does not remember.

In answer to the fifth special Interrogatory relative to the particular conduct of Major Barney during the whole time that

an attack on the post-office was apprehended, deponent answers and says, that Major Barney was particularly attentive; that he attended at the post-office on those nights when no call had been made on him, as well as on those when he had been ordered out. That he appeared to be very active and judicious in his arrangements, and this deponent takes this opportunity to express the high sense of the obligation he is under to Major Barney for his *unabated* attention, activity and zeal, manifested by him during the *whole time* that a protection to the post-office was deemed necessary.

This deponent finally states, that to the best of his recollection, he has, in answer to the questions propounded to him, stated every thing within his knowledge, which, in his judgment, is material, or which can tend to elucidate the subjects inquired of.

CHARLES BURRALL.

Annapolis, December 18th, 1812.

DEPOSITION
OF
EDWARD JOHNSON.

EDWARD JOHNSON, being first duly sworn—

THE first information received by me of the destruction of the office in Gay-street, was at the hour of half past nine o'clock at night. My family being in the country, I had drank tea, and spent the evening, with one of my neighbours, Mr. Henry Wilson, with whom and his family I continued until the above mentioned hour, when I took my leave of them and went home, with the intention of retiring to rest. As I walked up to my door, Mrs. Mackubin, the mother of my wife, was looking out of the window, and informed me that Mr. James Williams had been to tell me that an attack had been made upon the office of the Federal Republican, and that she could distinctly hear them pulling it down. Without entering my house, I immediately returned to Mr. Wilson, communicated to him the information received, and requested him to accompany me to Gay-street, to which he assented; and we set off with such intention. On our arrival at Frederick-street, we were met by Mr. William Camp, who inquired of me where we were going; we informed him that we had just heard of the demolition of the house, and were on our way to it, who said, I would advise you not to go, that he had just been there, the office was demolished, and you can do no good; and that he was confident there would be no further mischief. Mr. Wilson, who came with reluctance, pressed me to return, which I was prevailed upon to do. We arrived at the corner of Mr. Wilson's house, nearly at the same moment that Mr. S. Hollingsworth, Williams and Worthington did, who stated to me the destruction of the office, and inquired what is to be done? Capt. Wicks and Doctor Page arrived a short time after, and observed, that they had just been over, and Captain Wicks said, Mr. Johnson I advise you not to go; you cannot prevent it, and without support may expose yourself to great personal risk—I replied by observing to Mr. S. Hollingsworth, that if he would accompany me I would go and see if any thing could be done; we accordingly went, and found no difficulty in penetrating into the midst of the mob, when Mr. H. proclaimed, the Mayor, the Mayor, make room for the Mayor! I addressed myself to them, endeavoring to point out the enormity of the offence, and to alarm their fears, by stating that our laws would punish with severity such transaction; by one person I

was threatened, by all I was told that my person was safe unless I attempted to interfere with them; that they would complete their mission in spite of me, or any thing I could do. Only one man (Doctor Lewis) was recognized by me and Mr. Hollingsworth, with whom a considerable and a violent altercation ensued. Finding we could render no service, we agreed to go to John Purviance, esquire, and consult and advise with him. We did not find him either at his office or dwelling, and Mr. H. left me. Early the next morning I waited on Mr. Purviance to examine the Militia Law, and from him received his opinion and advice. The same day I was waited upon by a great number of my fellow-citizens, who were invited by me to retire to the council chamber; after a desultory conversation, and great variety of sentiments, it was determined to appoint a committee of persons to report to the meeting upon the subject—Mr. S. Seward, Mr. James Carroll, and John Purviance, esquire, were of this committee, who returned and produced the following as the result of their deliberations:

"The Chief Justice of the Court of Oyer and Terminer, the Mayor of the City of Baltimore, and subscribing Justices of the peace for Baltimore County, hereby recommend to all citizens who are disposed to preserve the order and peace of the community, to unite in discountenancing all irregular and tumultuous meetings of the people, for the purpose of committing outrages on the persons or property of any of the citizens, and also in giving their aid and assistance to the civil officers who may be employed in suppressing such disorders."

The same afternoon, about sun-set, I received information, that a man by the name of Hutchins, who resided near me, had foolishly used intemperate expressions, and that persons were assembling to tar and feather him. I ran upon my neighbors, none of whom were found at home, John McFadon excepted, to whom I communicated the information received, and telling him, that if I could be supported by only a few friends at the commencement of such an attack, I might prevent mischief. While I was conversing with Mr. McFadon, I saw a number of persons, about forty, turn the corner of Albemarle-street and advance towards the dwelling of Hutchins; I instantly followed them, and requested Mr. McFadon to accompany me. The door of the house had fortunately been shut and fastened against them. I made my way through them, and placed myself in the door of the house—I addressed them, pointing out the illegality of personal violence, and the punishment that our law would inflict; and after some time prevailed upon them to desist, and led them to the market house, where receiving an assurance that they would peaceably and quietly return to their respective homes, I left them and returned to Mr. McFadon. Apprehensive that

that would again return, I collected a number of my friends, and waited in the neighborhood of Hutchins's. The mob then remained in greater force, their violence increasing with the augmentation of their numbers. I again took possession of the door, supported by Capt. William Boyle and Mr. Cross, a number of gentlemen were immediately aroused us, and the violent and refractory were so distant, that we were able to converse without its being known with the family, and requested Hutchins to make his escape through the back yard, with which, as soon as it was effected, we were made acquainted. We were also informed that the wife of Hutchins was sick-a-bed, and could distinctly hear the lamentations of the children. Fatigued with the length of time we had been compelled to keep possession of the door; finding that the exertions of numbers of well disposed persons could only restrain, without being able to disperse, the mob, and well assured that Hutchins had made his escape, the expedient was adopted of proposing the appointing six or eight persons, in whom they could confide, to be admitted into the house, and examine and report to them whether he was at home; which was accordingly done, and they were prevailed upon to disperse. Before this assemblage was completely dispersed, Mr. John Dillenderfer informed me, that a few gentlemen, having heard of the riot, had armed themselves, and were probably on their way to support me. Judging from the temper displayed, and violent expressions used, that armed citizens coming to me at such a time might be attended with serious consequences, I privately withdrew, and went in quest of them, and fortunately met Mr. Samuel Hollingsworth, accompanied by two other horsemen, completely equipped, who were stopped on the way by me; and when asked where they were going, replied that they had heard of the riot and were coming to my support—I informed them that I was happy in having it in my power to assure them that I had completely succeeded in protecting Hutchins, and assisted him in effecting his escape, and there was no fear of any further commotion. From expressions which I myself heard, and reports made to me, I apprehended that party spirit ran so high that a general armament would be resorted to, our city deluged with blood, and involved in all the horrors of civil war; under this impression, I called a Town Meeting by a notice in the morning papers, and early the next morning waited upon the eldest and most respectable inhabitants, informed them of the occurrences of the night, my fears and apprehensions, and requested them to meet at the council chamber to advise me as to the proper course to be pursued in the then alarming state of the public mind.

By advice of some gentlemen I took advantage of the badness of the weather, it raining excessively hard, and postponed the Town Meeting that had been called by me; the greater part of

the gentlemen waited upon met, after a mutual interchange of sentiments, finally resolved that the paper drawn up the preceding day should be published, and that the Magistrates of the city should be called upon by me, and, as the sense of the meeting, that they should be requested in person to attend to the preservation of the peace of the city; should also command the Constables to attend them. They were accordingly requested by me to attend at the council chamber, the wishes of the meeting explained to them, and invited to attend at my house that night, which on their part was most cheerfully acquiesced in, and complied with, and by parading the streets, in conjunction with the officers, the disorderly and tumultuous meeting of boys and children was effectually dispersed, and the peace and quiet of our city restored.

Many reports were made to me of threats and imprudent observations of the black population, by some of the most respectable inhabitants, and it was satisfactorily ascertained that frequent assemblages took place, where their ability to do mischief was enforced by a negro, the property of a Mr. Mycroft, who had frequently been in the island of St. Domingo, who was apprehended and committed to gaol, in consequence whereof it became a subject of general conversation, and an unjustifiable prosecution commenced. The dwelling of a free negro, by the name of Biscoe, was destroyed, and many acts of violence committed on their persons. The treatment received by the blacks, rendered it indispensable to adopt measures for their protection. A troop of horse under the command of Colonel Blays, attended me for this purpose; by parading the streets and avenues, the object we had in view, and determination to afford protection to them, the ill-disposed were overawed and no further information on the subject was given to me.

On the --- July, Mrs. White came to me at my office, and informed me that the Federal Republican was printing in her house, and asked if she could take possession of it—this, Madam, is a question you should ask your Lawyer; but I have no hesitation in saying, that if they are legally in possession of your property, under a lease, you cannot dispossess them. They have no right to turn it into a printing shop, and I heard them last night setting up their presses. Your remedy is an action of damages for violation of the contract. P. L. White, her son, observed, that the people had destroyed the office of the Federal Republican, which they would do again; I myself have been before the Grand Jury, and have given the names of one of the ring leaders, and have no doubt the whole of them will be discovered and brought to punishment; our laws can and will punish every violation of property; and they will be made sick of what they have done. Can you defend the property? I have no doubt of it. Will you defend my property? as soon as the property

of any man in the city. If you will permit me to arm myself, and some of my friends, I can easily turn them out, and take possession of the house. You have no right to do so, and if you resort to violence, do not call on me for assistance, you shall have none from me; if you use arms, arms will be used against you, and I never will put myself between two fires. I left them to go up stairs to the board of City Commissioners, who had sent to me upon business; and as I stood on the stairs, Mrs. W. passed by me, to whom I observed, that I had seen the paper, and that there was nothing in it that could excite the public indignation or feelings, but if she heard of any threats, and would communicate to me the name of the person using them, that I could and would arrest him. Having come to town, with my wife and a sick child, to consult my family physician, I left my office and went home at an earlier hour than usual. At about four o'clock, when my carriage was at the door to take my family to the country, Mr. Haigrove called and informed me that Mr. Heath had called to see me at the office after I left it, and had requested him to see and tell me that he was apprehensive another attack would be made upon the office. Did he assign any reasons for his fears? he only said he was afraid of it. I left town with my family for my country residence, and the next morning, at day-break, two gentlemen troopers rode up and informed me of the occurrences of the night, and that they came by order of General Stricker, who requested my immediate attendance in town. With as much despatch as possible, I rode to Charles-street, where I was met by General Stricker, who told me that Mr. Hanson, and others, had armed themselves and fired upon the people; that lives had been lost; that the multitude were exasperated to madness; had procured a field-piece, which was then charged and with difficulty could be restrained from firing it; that they had agreed to surrender themselves to the city authority, and that although there were several magistrates present, none could be prevailed upon to take charge of them, and for that reason he had been obliged to send for me, and desired, that the first thing I did, if possible, to have the field-piece unloaded. I immediately rode before the gun, informed the people of the arrangement made by General Stricker as communicated to me, and insisted the piece should be unloaded; it was violently opposed. I dismounted, after some time prevailed upon Gill, who stood upon the cannon, to assent, and it was immediately done. I then went into the house to see Mr. Hanson, by whom I was told, that if I would disperse the mob, they would surrender to the civil authority, and give bail to any amount that could be required, and that I was authorized to assure the mob the paper should never be printed in Baltimore—to which I replied, do you believe it to be in my power? I will do any thing you think proper to recommend, but do not believe

it will be in my power—my only object is to save the effusion of blood, and to extricate you from your present situation. Where will you carry us? any where you please—to my own house. Some of the young gentlemen said to me, Mr. Johnson, do you say positively you can carry us in safety? gentlemen you ask too much; were I to give such an assurance, and you to be torn from me and destroyed, I should be a wretched man all the days of my life; this much I will say, I will go with you and share your fate, Mr. Hanson replied that is nothing, he will be safe enough while we will be torn to pieces. I will go down stairs and endeavor to increase the guard, there are before your door a great number of respectable citizens upon whom I can prevail to assist me. I went and mounted my horse, and requested General Stricker to do the same; told him that our guard was insufficient. Cannot you increase it? General Stricker called out, are there no men here present who belong to my brigade? he was answered by many voices. Go my soldiers and bring your arms and assist me. Some few obeyed the order. I dismounted and went through the crowd, requesting every person to assist me in forming an unarmed guard to aid the military—by none whom I was able to call by name was I refused—and with the assistance of Mr. L. Taylor, and several others, who were actively engaged, the unarmed guard was rendered much more numerous than the armed. While engaged in endeavoring to form an unarmed guard, I heard the name of John Thomas mentioned with great bitterness of expression; that he had been one of the party in the house, and was one of the guard for their protection. I went into the square formed by the militia, and inquired if there was a gentleman by the name of John Thomas in the guard; he replied, my name is Thomas. Mr. Thomas, I must request of you to withdraw and get some other person to take your place, your continuance in this guard may do us much injury; which he did. I returned into the house, explained what had been done, and asked the gentlemen to accompany me to the front windows that I might shew the arrangements made for their security. When in the front room General Lee lamented what had happened; that his being there was the effect of accident; that he came there by invitation to play a game of whist, and he had been instrumental in restraining the young men who would have fired much oftener had he not prevented them.

To all with whom I conversed, I gave every assurance that, in my opinion, the arrangements made would enable us to protect them, and that we certainly would do it if possible, and recommended an immediate departure, as the difficulties increased every moment. Mr. Hanson observed, we can defend ourselves; the cannon can be fired but once. As I returned down stairs, through the window that looked into the yard, I saw two of the militia with muskets, cross-belts and cartridge boxes,

present their pieces, and deliberately take aim to shoot the first person that appeared at the window. I immediately ran to them, and asked them what they were about; to take vengeance for our slaughtered citizens; you must not do so—they are my prisoners, they have surrendered to the civil authority; we must and will protect them. Gen. Stricker came to my assistance, and carried them through the house, and placed them as a part of the escort. There were at the same moment five or six persons on the yard wall, to whom I went, and requested that they would come no farther. Mr. Johnson, if you say so we will not, but suppose there can be no objection to our remaining here to see that none of them make their escape. As soon as I returned into the house, Mr. George Winchester came to me, and said, Mr. Johnson, the sooner we go the better—indeed Mr. Winchester I think our difficulties increase every moment. I could have carried you half an hour ago much easier than now—he said, I will go with you, and took my arm—some other gentleman said so likewise, and took my other arm, and we marched into the hollow square formed for our reception—we were followed by the rest. On our way, it was discovered that the gentleman who had my right arm had a pistol in his pocket; the mob rushed in upon us and took him from me; but by taking the pistol out of his pocket, and either throwing it away, or giving it to them, I was enabled again to take him under my charge. On our way several brick-bats were thrown, one of which severely wounded the gentleman who had my right arm in the face, and a second passed within a few inches of my head, we however arrived safe. I left the gaol, assuring them that I would return as soon as possible. Shortly after my arrival at my office, Mr. Pinkney and Mr. Glenn came from the Court-House to consult and advise with me; as the office was crowded, I requested them to go to the office of John Perviance, Esq. where I would come to them, and shortly followed them. On my way I met Mr. Perviance, who said he was on his way to see me, and observed, that he was uneasy for fear that I would attempt to take bail, and that if I did, death to them would be the consequence. I replied, that the same fears were entertained by me, but that if their immediate connections and friends thought it advisable to make the experiment, I would not refuse, as I could not take such a awful responsibility upon myself; for should any accident befall them, the whole censure and blame would fall upon me. I requested him to go to Mr. Scott's office, and that I would come to him, when the subject could be best investigated. Upon my return to my own office, I found Mr. R. K. Heath, and Mr. Sterett, who requested me to give an order to call out the militia; I requested the gentlemen to accompany me to Mr. Scott's office; the subject of the militia was immediately mentioned, and Mr. Montgomery, Mr. T. Buchanan, Mr. John

Hurviance, and Mr. Samuel Streett, all gave their opinions, and the order was written and signed, which I took in my hand, and left the house, accompanied by the two Messrs. Streett's and Major Heath, to whom I observed, when in the street, gentlemen, bear my predictions, God grant they may not be verified; there is no confidence to be placed in the militia; they will not obey the call; they will not turn out; and if you depend upon them I fear you will be disappointed. We did not find General Stricker either at his counting house or dwelling; and while standing at the steps of General Stricker's door, I left Colonel Streett and Major Heath, in consequence of a man, by the name of Finn, coming to me and claiming my protection from a mob of persons who had been threatening his destruction. Mr. Fowler, the city collector, was near me, to whom I gave the order calling out the militia, informing him that it was of consequence it should be delivered as soon as possible. I went to the gaol about the hour of two o'clock, and in going up the steps was followed by such numbers, many of whom being known to me, I should have had no objection to their entering with me, yet as there were others who would have rushed in, for the moment I thought it prudent to decline being admitted. The crowd was numerous and exasperated, and countenanced by the violence of some characters who should have known better, occasioned much trouble to Judge Scott and myself—we were accused with an intention improperly to bail the prisoners, with a view to rescue them from the hands of justice. After some time we were able to appease and pacify them; many went away, and those who remained appeared to be satisfied with the explanation made of our views and intentions, and I entered the gaol, had the door unlocked, and went to the prisoners, with whom I had much conversation; and when asked by General Lee if in my opinion they could be protected, told him the military had been called upon, and at any rate they might depend upon me; that I would remain at the gaol all night, and they never shall get at you but through me. A man by the name of Biscoe immediately whispered to me, be cautious what you say, you are watched; in looking around the room, I discovered two men, whose faces were much covered by their hats, stand against the wall, neither of whom was known to me, and whose appearance was not calculated to inspire confidence; I then well understood the intimation given me. Captain Murray and myself being alone a short time after in the other room, I observed to him, there were improper characters admitted into your room; how they came there it is impossible for me to say—I must ask the favor of you to return to the other room with me, and remember the observations I shall make do proceed from my heart, they are made with a view to serve me; do not return with me; and the remarks made by me are not particularly reflected, unless of little consequence,

As it is impossible that my motives and intentions could have been mistaken. When about to leave the room, General Stricker observed, that there were several intermediate doors, and requested they might be secured; he was assured by me they should be attended to. As soon as I saw Bently the Gaoler, I requested him to secure the several doors; that I had pledged myself that they should be fastened, and that I could not leave the gaol until it was done; telling him, at the same time, there were improper characters admitted into his gaol, and even into the room of the prisoners—he replied, he could not help it; they had forced their way when the door was opened for me, and that he was anxious to have his gaol cleared, had tried and could not effect it—Do you come presently and say to me your gaol must be cleared, and that even I must go out. There were a number of respectable persons present, who were requested by me to assist when the Gaoler should request us to clear his gaol, and go out ourselves; he did accordingly apply to us, and we succeeded in turning every person out. I was afterwards assured by Bently, that he had secured the intermediate door agreeable to my request. On my arrival in the yard I was unremittingly employed in addressing every assemblage that I saw collected in every part of the yard, in which I was supported by great numbers of gentlemen, who used the same arguments, and gave the same assurances, not to hail the prisoners, but to bring them to trial as speedily as possible. During the afternoon, many respectable citizens came into the gaol-yard, and their appearance had considerable effect in dispersing the ill-disposed.

Late in the afternoon General Stricker came and informed me that he had been to Gay-street where the militia were assembled, that they were between 20 and 30 only, and that a number of gentlemen with whom he had been conversing, strongly recommended to him not to think of bringing so small a body there, and that he had come to take my opinion; to which I replied, that I was not disappointed in their not turning out, and had predicted they would not, and was of the opinion that so few might do more harm than good. What do you mean to do? I intend staying here all night, and if the respectable people will continue with me, we certainly shall be able to protect the gaol. It is hard to leave you under such circumstances; I have been up all night, and my family in great distress, which will be increased by my absence; I do not see how I can possibly stay with you. As you had all the fatigue and trouble of the last night, I will undertake it to night, and do the best I can. As soon as I left by Gen. Stricker, Mr. Andrew Boyd came to me and observed, he was glad to see me, that he had just come from the gentlemen in the gaol, who were uneasy, believing I had gone away. I requested him to return and assure them that I had never left the yard, and would not, and would fulfil my

promises to the utmost of my power; it is impossible for me to return, but if you will go with me, and stand before their window they will understand us. We accordingly went and stood before the window a considerable length of time. After dark, numbers returned; and as Mr. Lemuel Taylor and myself was standing together, some man, unknown to both of us, suggested that the gaol door might probably be opened; we inquired of him if he had seen the sheriff, or could direct us where to find him; told us he had seen him a moment before in a particular part of the yard, where we went and found Mr. Merryman; we informed him of what had been said, inquired particularly if Bently his gaoler was a coward, if he could be depended upon, and advised him to go into the gaol and see it well secured, and to take care it should not be opened if attacked—Mr. Merryman left us, and promised to attend to his gaol—Mr. Taylor and myself had many conversations with the multitude, who pretended only to be anxious that no bail should be taken, and when assured by me there was no such intention, and that I would not take bail, uniformly replied, that they were convinced I would not, but that Judge Scott would; I requested Mr. Taylor to ride to Judge Scott's and get his written and positive assurance that he would not take bail, with which we hoped to be able to pacify them; Mr. Taylor left with such intention.

Soon after the departure of Mr. Taylor, George Wooleslager, accompanied by thirty or forty others, leaped over into the gaol yard, and with the strongest voice I ever heard, said, where are those murdering scoundrels who have come from Montgomery and slaughtered our citizens in cold blood! In that gaol my boys; we must have them out; blood cries for blood! I asked who is that? some person replied, George Wooleslager. I called out his name, he answered who are you? a friend—what do you want with me? I wish to speak with you—ho! and all his party halted, and I went up to him, when he asked, who are you sir? my name is Johnson, I am the Mayor of your city. What do you want with me? the expressions you have used give me much uneasiness, those persons in gaol are my prisoners; that gaol which is their punishment must be their protection; it is my duty to protect them, and I am here for that purpose, and I call on you to assist me in doing so. The damned orangemen took me up and kept me all night, and I will go to the Point and take satisfaction. Discovering that he alluded to the watchmen, I observed to him, that they were appointed by me, were under my control, and answerable to me for any misconduct; if he would call on me at my office at ten o'clock the next day, I would send for them, and punish them for any ill-treatment he might have received. Mr. Mayor, you talk very reasonably, and we will support, well, my boys, we will support the Mayor, three cheers for the Mayor—his orders were obeyed. Several of his party

were calling George, George, and pulling by the coat, and he let me with a promise to return, and went the distance of ten or fifteen yards, where he continued conversing with two or three persons; becoming uneasy at the length of time he stood from me; believing that they were endeavoring to persuade him to desert me, I went up, and observed, that having received his assurance of support, I depended upon him, that he was powerful, and strong, and brave, and if supported by him had nothing to fear. It was only my brother that I wanted to speak to me, I intended to return to and will support you. Well, George, near the gaol I see a collection, let us go and see what they are after; we went, he walking by my side, and when we came near to them we heard them, in a low tone of voice, saying they could easily force the prison and take them out. One of them took a round log of wood, and observed that with that log he could easily beat down the door. I put my hand upon his shoulder, and said, my friend you must not talk so; I am the Mayor of your city; they are my prisoners, and I must and will protect them. A number of voices exclaimed, you protect them—and one, more violent than the rest, you damn'd scoundrel don't we feed you, and is it not your duty to head and lead us on to take vengeance for the murders committed; at this moment Woolslager stepped between me and them, accompanied by two of his party, and said, we will protect the Mayor; this party consisted of about thirty or forty persons, and four or five of them from the rear mounted the steps, and with an axe began hammering at the door of the gaol. I observed to George Woolslager it is not yet too late, support me, and we may prevent the horrid scene. I will support you sir; and taking hold of the two persons who were with him, and naming them to me, said, we will support you, and accompanied me around the party to the steps, and mounted the steps, where we continued some time, he at least, by his conversation, pretended he was desirous to prevent mischief, but turning suddenly around upon, and placing his two hands on me, observed, that we were only risking our own lives without any prospect of success. It occasioned me to leap from the steps to prevent falling; he came down the steps and repeated what he had said. At this moment Mr. L. Taylor came to me, and I observed that I had a dreadful time since he left me. The crowd was numerous around us, and Colonel Blais joining my arm, observing that I had done every thing in my power, and not to venture my life unnecessarily any further, and pulled me out of the crowd. I continued there until the door was opened; the mob had entered, and broken the inside doors, and gave three cheers, when Mr. Charles Robinson, and another gentleman, took me away.

On the ——— of ———, Mr. Burrall, the post master, informed me that the Federal Republican was in his office, and that a

number of suspicious characters, who were not subscribers, had called to inquire after it, and from information communicated to him, apprehended an attack that evening. Gen. Stricker was called upon and requested to furnish as effective a military force as possible; his orders were issued, and a troop and four companies of infantry turned out. The horse assembled before my door, commanded by Colonel Biays, and we immediately marched out of Baltimore-street, in front of the Bank of Baltimore, very near the post-office. There were many persons assembled, some of whom were evidently brought together by idle curiosity, consisting of women and children. We marched shortly afterwards to the dwelling-house of General Stricker, where information was given us that we would find him at the house of Mr. Calhoun. We returned to the post-office, and discovered that the multitude had greatly increased, and were cheering rather with the intention of ascertaining their own strength, or by way of defiance of us. I left Colonel Biays at the head of the horse, and went to General Stricker, and informed him that there was no doubt a mob had collected before the post-office, that we should have to disperse them by force, and requested that the infantry might be marched to our support as speedily as possible, and that as soon as it was ascertained they were at their post, I should order a charge. Upon my return, Colonel Biays urged an immediate attack. In compliance with his request I rode about fifteen steps in advance of the house, and called upon all orderly and well-disposed persons to disperse, telling them at the same time, that all riotous and tumultuous meetings were illegal, that there was a mob present which should be put down at all hazards, and that we wished to discriminate between the innocent and guilty, at all events the laws of my country must and should be obeyed. At this instant the word charge was given, and a general dispersion took place. The guards were stationed at all the avenues leading to the office. Gen. Stricker, Col. Sterett, and myself, were on horseback before the post-office, when one of the militia came and told us the military were dissatisfied in being brought there to defend the Federal Republican; he was answered they were brought there to defend the post-office. Shortly after Major Barney came and told us, if we did not do something the military would all leave us, and they said they would not defend the Federal Republican; he was answered that the post-office could and should be defended; that the paper had as much right to be there as any other, and having dispersed the most formidable party, enough of the military would remain with us to support us. Some short time thereafter, a person belonging to Captain Conn's company came and pressed me to go with him, and said unless I did so the whole militia would leave us. Upon consulting General Stricker and Colonel Sterett, they advised me to go with him. I dismounted, giving the reins of my

brille to General Stricker, and went with him to the Major's Bank, where the company was stationed, and was met by four or five of the men, who left their ranks for the purpose who said to me, Mr. Johnson you have deceived us, if we had known that you were bringing us here to defend the Federal Republican not a man of us would have turned out. My friends you are mistaken, I brought you here to defend the laws and constitution of our country; and do not carry your prejudice against the Federal Republican so far as to suffer the post-office to come down, for I tell you if it had not been for us it would have been pulled down; there are miscreants and scoundrels here whose object is plunder. If you suffer the Federalists to make a dupe of you, you shall not make dupes of us—we will not support you. You must do as you please, I will endeavor to do my duty, and left them. Upon my return, telling Gen. Stricker and Col. Sterett that the militia had refused to support, and the reason assigned, it was deemed advisable to send for Mr. Burrall to inform him of the situation we were placed in, and consult him whether it would be possible to return the paper to Washington. When his situation was explained to us, it was determined to rely upon such of the militia as would support us, and to dismiss those that were unwilling—and General Stricker rode to Captain Conn's company, and told them that each of them as were unwilling to do their duty were at liberty to go home—but one man left his post. We resumed our stations on horseback before the door of the post-office, where we continued all night, and upon several alarms being given, found the military alert and ready to afford us every support that could be expected, except in one instance—Colonel Sterett and myself hearing that Wooleslager and party were troublesome, rode up where Captain Keller's company was posted, nearly before the door of Judge Scott, who we could hear speaking to Wooleslager. Observing the men to be restless, I observed that it was a severe duty upon young soldiers to be standing under arms all night; to which one of them replied, they should think nothing of the duty if they had not been brought to defend the Federal Republican. I repeated nearly the same observations I had made to Captain Conn's company. He replied, our country is at war, and we will shed our blood to put down all opposition to it. The constituted authorities of our country having declared us in a state of war, no virtuous or good citizen will oppose it. The Federal Republican does oppose it, and we will put it down. If the Federal Republican opposes the war I will draw my sword as soon as any of you, and head you, and put down the Federal Republican. Understanding that there were threatening expressions used in consequence of being dispersed, and were resolved to arm to meet the military the next night, great exertions were made, and nearly one thousand persons

turned out, and no doubt over-awed the ill-disposed. The military were called upon daily, and always obeyed. The ringleaders were indicted by the Grand Jury, apprehended, and committed to prison, and for fear of its violation, guarded by the military, and the *posse comitatus* called out by the Sheriff.

The letters referred to in one of the questions, were brought, the one purporting to be written by Colonel Lynn to John Hannon Thomas, esquire, by John Murphy, the captain of the Point watch, on Wednesday afternoon, who stated that he had taken it from a man by the name of Jinks, the others were brought to my office several days thereafter by Mr. Barnes, one of the editors of the Whig paper, with whom, at the time, as I was busy and my office crowded with people, I had no conversation, but have been since informed that he asserts they were left by a person unknown.

EDWARD JOHNSON.

Interrogatories by Mr. Dorsey to Mr. Johnson.

Inter. first. You say if it had not been for the violence of some persons, of whom better things might be expected, you could have dispersed the rioters on the evening of the twenty-eighth? Who were the persons to whom you allude?

Answer to first Inter. I suppose there were twenty or thirty well dressed men, but the only one of them I knew was a certain Doctor Snull.

Inter. second. Do you recollect that you saw Colonel Biays, General Stansbury, or Captain Styles, on that night? Had you any conversation other than related with either of them? Did you see them talking with Mumma or any of the mob?

Answer to second Inter. I saw General Stansbury at the gaol on horseback on the afternoon of the twenty-eighth. General Stansbury addressed to deponent this remark, "you well know, Mr. Johnson, that these persons can remove their trial to Montgomery, and what sort of a trial they will have there." I had been all the evening unremittingly employed talking to the people, pointing out the impropriety of their violence, my impression is, that this took place when the people were considerably dispersed. Does not recollect that he had addressed himself to General Stansbury at all, when the above remark was made. I did not see Captain Styles there during the whole evening. I had no other conversation with Colonel Biays than what I have stated.

Inter. third. Do you know, or have you heard, and from whom, that either the above persons, or any other persons holding a civil or military commission, advised and encouraged the mob in their atrocities?

Answer to third Inter. Never.

Inter. fourth. Have you heard that any combination was formed for the destruction of the office of the Federal Republican or for the proscription of any of the citizens of Baltimore?

Answer to fourth Inter. The day after the destruction of the Federal Republican office, I went to Fell's Point for the purpose of ascertaining as to the injury and threats of injury to certain vessels. I there learnt from Colonel Biays, and others, who I do not recollect, that it was said a meeting at Myer's gardens, to the number of two hundred persons, had taken place on the Saturday preceding the destruction of the office, and that they had intended to take Mr. Wagner and cloath him with a Terrapin shell, which they had already prepared, and a sheep skin, and a pair of horns; and farther, that they had got a friend of Wagner's who had engaged to entice him into their clutches. I never, at any time, received any information from Mr. John McKim, jun. relative to the meeting at Myer's gardens.

Inter. fifth. Have you heard that any inflammatory publications were circulated on the morning of the twenty-eighth, exciting the populace to vengeance against the persons in the gaol? If so, by whom were they circulated?

Answer to the fifth Inter. Whilst in the gaol yard, the Whig paper was received there. I read it with great anguish and disapprobation, considering the remarks it contained were calculated to defeat my efforts to abate the violence of the mob.

Inter. sixth. Had you any conversation with Mr. Montgomery, or Stricker, upon the policy of bailing the persons in the house? If you had, state the course of conduct advised by them, and their reasons for the same.

Answer to sixth Inter. I do not recollect to have had any conversation with any person relative to bailing of the gentlemen in the gaol, except John Purviance, nor do I recollect that the subject of bail was mentioned in my presence in Judge Scott's office.

Inter. seventh. Have you not remarked that the Federalists of Baltimore owed to you their lives? If you did, what reasons have you for the remark?

Answer to seventh Inter. I have always said Samuel Hollingsworth, and the two gentlemen who were with him on the night of the attack upon Hutchins, owed their safety to me—for I have always thought, that if Mr. Hollingsworth, and the two gentlemen who were with him, had gone into that mob which was before Mr. Hutchins's door, they would have lost their lives, from the expressions and dispositions manifested by the mob. I have no recollection of any other remarks made by me relative to the Federalists owing their safety to me.

Inter. eighth. Have you never remarked that a vigorous prosecution of the rioters was prevented by a belief that it would

terminate in the disclosure of the names of persons but little suspected?

Answer to eighth Inter. I never did. I said to Mr. Carey, that if an inquiry was prosecuted, it had been intimated to me that no names would be made that had never been dreamt of—but the defendant has no knowledge of the circumstances or persons alluded to.

Inter. tenth. Did you not say that on the night of 27th, or morning of 28th, there were persons engaged as rioters who became men of character?

Answer to ninth Inter. No—I have not.

Inter. eleventh. When Stricker attended at the post-office was it in compliance with any requisition from the civil authority?

Answer to tenth Inter. Yes—I and one other magistrate gave one written order; the other orders were verbal. I was always pledged to General Stricker to furnish him with a written order in case he required it, worded in any manner he might direct.

Inter. twelfth. Has General Stricker ever assigned to you any reason why he did not order Major Barney to disperse the mob in Charles-street?

Answer to eleventh Inter. He never has as I recollect.

Inter. thirteenth. Have you heard any of the jurymen who tried the rioters declare their impressions as to the guilt of the prisoners but at the same time their determination to acquit? If so, state who they were, and their reasons for the same.

Answer to twelfth Inter. I have never had a syllable of conversation, on that subject, with any jurymen who served on the jury that tried the rioters.

Inter. fourteenth. When in the house in Charles-street, or in the gaol, did you hear General Stricker give any pledge for the protection of the persons in the house or gaol.

Answer to thirteenth Inter. No, I never did.

Inter. fifteenth. Did any part of the artillery parade on the twenty-eighth?

Answer to fourteenth Inter. On that day I called upon General Stricker, and stated to him that I wished the artillery to be secured in such manner as to prevent the mob from getting the guns into their possession—Colonel Harris was present. Gen. Stricker informed me that arrangements had, or would be made for that purpose. I stated to General Stricker, in the course of conversation, that I did not wish the artillery to be used, for in my opinion it was not the proper weapon to depend upon—I stated as a reason for this opinion, that before I could as magistrate order the artillery to be fired, in consequence of the indispensable necessity of so doing, the mob might get possession of the pieces, and turn them against us.

Inter. fifteenth. When the gaol was guarded against the assault, was not the artillery called out and a portion of it placed inside of the house?

Answer to fifteenth Inter. Three or four nights after the gaol had been guarded, two pieces of artillery were fixed in the gaol, one at each door.

Inter. sixteenth. Have not your mobs always evidenced a disposition to retreat when pressed upon by a military force?

Answer to sixteenth Inter. I never tried them but once, and then soon succeeded in dispersing them.

Inter. seventeenth. So far as your experience extends do you not deem it almost impracticable, by the agency of a jury in the city, to punish those who in popular commotion violate the laws?

Answer to seventeenth Inter. I can only say, that I was astonished at the acquittal of Woolleslager and Doctor Lewis, after the very positive evidence of their guilt, which I myself disclosed.

Inter. eighteenth. Have not a great portion of your constables been very inattentive to the duties of their appointment?

Answer to eighteenth Inter. They were extremely inattentive generally.

Inter. nineteenth. Do not your constables exercise an undue influence over your magistrates?

Answer to nineteenth Inter. I have no hesitation to say, that I believe they do.

EDWARD JOHNSON.

Inter. twentieth. When you say that the recent disturbances in your city are to be traced to the tone of the Federal Republican, do you mean to say that the mob, or those who perpetrated the unlawful acts, were the readers of that paper, or that a spirit of intolerance against that establishment, entertained by men of higher rank in society, urged on or approbated a course of violence against it?

Answer to twentieth Inter. In my opinion the jealousy of the Republican party, believing that their country was engaged in a just, necessary and honorable war, carried them to such lengths, that those who, from their publications, used sentiments hostile to the war, were suspected of being influenced by improper motives, and that imprudent and unjustifiable expressions were frequently used in the presence and hearing of the ignorant, who might in consequence thereof be led astray. I do not believe that the Federal Republican was generally read by persons who would engage in mobs—nor do I believe that there was any man of respectability who entertained such a spirit of intolerance against the Federal Republican as to encourage, recommend or approve, of the attack and destruction of the office. It is my sincere

conviction, that the destruction of the office was in general as much disapproved by the good and virtuous of the one, as of the other party.

Inter. twenty-first. Did not many inflammatory pieces, in the Democratic news-papers, appear, urging the expediency and justice of the destruction of that establishment, and of silencing all opposition to the war?

Answer to the twenty-first Inter. I believe inflammatory pieces did appear, and I have often seen expressions in the Republican papers, which met with my disapprobation, but have no such recollection now as enables me to refer to them. I have often seen inflammatory pieces in the papers, illy calculated to preserve the peace of the city.

Inter. twenty-second. Can you say of what descriptions of persons, whether natives or foreigners, were principally the rioters?

Answer to the twenty-second Inter. At the gaol there were many Germans, many Irishmen, and some natives—The rioters, generally, were principally composed of low Irish and Germans—A number of inferior disturbances took place, confined to the Irish alone, who were persecuting each other as orangemen. At the post-office I do not think there were more than forty or fifty riotously disposed, who were charged and dispersed by the troop. I believe there were many disposed to go to the post-office to join the rioters, who were deterred by my threats, who had assembled at the house of one Daly, and whom I told that I would cut them down if I found them in the street—They saw me proceed from my house at the head of a troop of horse.

EDWARD JOHNSON.

I have never believed that a spirit of insubordination to the civil authority existed in the City of Baltimore for a long space of time; the causes of the late unhappy disturbances in the city, are certainly to be traced to the violent and inflammatory publications in the Federal Republican news-paper, which produced a general spirit of indignation, and were disapproved of by many of the most respectable Federal gentlemen of the city. That a recurrence to military force, for the suppression of this spirit, which made its appearance by an attack upon the office in Gay-street, was, on my part, utterly impracticable, from the late period at which information respecting it was communicated to me; and a dependance upon the civil authority, in preference to the military, was ever recommended by me, as I was fully impressed with the belief, from all that I had seen and heard on the subject, that this spirit existed most strongly in the very persons, who, as the military, would be called upon to suppress it. I am of the opinion, and have uniformly said so, that the system of police for the City of Baltimore is extremely defective.

and unless its defects are supplied, do not feel a proper confidence that the magistrate and peace-officers will be able, upon future emergencies, to take effectual steps for the prevention of mischief; to make the magistrate and peace-officer feared, they must be respected. The trade of justice, as it is commonly called, has ever been considered by me as injurious; the constable being independent of the magistrate, who looks to him for that species of custom by which the office of magistrate is rendered valuable, stands in no awe whatever, and feels himself free from the controul of the magistrate, and consequently does not make those exertions which are necessary for the detection and punishment of the disturbers of the peace of our city. I have no knowledge that any of the constables, during the late disturbances, exerted themselves for the preservation of the peace; there are many of them, however, who are not known to me, either by name or sight; but I can truly declare, that there is but little attention paid by them to our ordinances, except in cases where their individual interest can be served, by the recovery of fines, to which, as informers, they are entitled to the one half; and it is evident to me, that some provisions, to place these officers more under the controul of the magistracy, are indispensable.

The office of justice of the peace is, in my opinion, indiscriminately given to too great a number, that fewer magistrates would do their duty better, would I think proceed from their feeling a greater responsibility.

EDWARD JOHNSON.

The Chairman and Gentlemen of the Committee of Grievances and Courts of Justice.

Gentlemen,

Inclosed you have my answers to the inquiries submitted to me by your Chairman. The narrative form in which they are given, I have, upon every consideration, thought best. It affords to me the more connected relation of the matters inquired of, and in the order in which they occurred—my recollection, in some degree, needed the indulgence of this mode; in this order I hope they will be equally acceptable to the Committee.

Called upon, as I am, to give a full and impartial relation of the events under your inquiry, I must detail much of my own motives and conduct, I shall be excused in this—The interrogatories embrace them, and direct me to it. In these answers the Committee have the conscientious avowal of all that the memory of this respondent recalls of the subjects of their inquiry.

Your obedient servant.

EDWARD JOHNSON.

DEPOSITION
OF
JOHN HARGROVE.

=====

JOHN HARGROVE, being first duly sworn—

To the first 6 Interrogatories put by the Honourable the Court or Committee of Grievances of the General Assembly of Maryland, this deponent, John Hargrove, answers and says— That he has no personal knowledge.

To the 7th Interrogatory, he also says, that he has no accurate knowledge, having never paid attention to the premises previous to their demolition.

To the 8th, 9th, 10th, 11th, and 12th Interrogatories, deponent has no knowledge of his own, except that he heard a vague report from some persons that the African House of Divine Worship was to be demolished, in consequence of some riotous conduct of some coloured or black people; that after hearing so, he set out after night in company with another magistrate and went to the said house of worship; that there, or near about, he met with Owen Dorsey, Esq. and some other gentlemen, who appeared to have come there on the same errand with deponent; but finding all peaceable in the neighbourhood he retired home a little after ten o'clock, and believes that no such attempt was ever made.

To the 13th Interrogatory, deponent answers, he has no knowledge at all; and the same he answers as to the 14th Interrogatory, as a reference to his first answer will shew.

To the 15th and also 16th Interrogatory, this deponent answers, that he knew nothing of the attack upon the house in Charles-street until next morning—but at the same time would remark, that Mr. Richard K. Heath called in upon him, at the Mayor's office, between two and three o'clock in the afternoon, previous to the attack upon the house in Charles-street, and inquired where the Mayor was; to which deponent replied, he is gone home to dinner; that Mr. Heath then said, he wished deponent would go to the Mayor without delay, and inform him that it was feared an attack would be made on the office of the Federal Republican in Charles-street that night. That this deponent then asked Mr. Heath what made him think so? To which he replied, that he had *reasons* for it—and again urged this deponent to go as soon as he could and inform the Mayor. That this deponent answered, that soon as he had shut up the office and eat a bit of dinner, he would go and inform the Mayor, but at the same time recommended Mr. Heath to see and converse with the Mayor himself. That on deponent's calling

on the Mayor, after dinner, he found him about to start for the country, (his carriage being ready at the door.) That deponent briefly related to the Mayor the substance of Mr. Heath's report to him at the office. That the Mayor asked deponent if Mr. Heath had assigned any reasons for his fears of an attack upon the office of the Federal Republican in Charles-street, to which deponent responded Mr. Heath's words to him at the Mayor's office, namely, that "*he had reasons.*" That the Mayor replied, I do not think Mr. Hargrove there will be any such attack as Mr. Heath fears; to which deponent replied, "*neither do I.*" That the Mayor then said, he believed he must go out into the country, as it was necessary for him to do so; to which deponent replied, that he thought the fears of Mr. Heath was probably not well founded, and that nothing disagreeable would take place; upon which he left the Mayor, returned home, and heard no more of the riotous proceedings until next morning.

To the 17th Interrogatory, this deponent answers, that the Mayor applied to him as a magistrate, to unite with him in signing an order, or call on the militia to preserve the peace of the city—That deponent was then very busy in attending his ordinary duties of Register, but immediately gave his name on the occasion. That the orders, or call alluded to, was, he believes, directed to Gen. Stricker.

To the 18th Interrogatory, deponent answers, that being very much pressed with the duties of his office, and being under a full persuasion that the orders, or call, alluded to, would be attended to, he inquired no further respecting their execution, as the Mayor seemed always active.

To the 19th and 20th Interrogatories, deponent says, he has no knowledge.

To the 21st Interrogatory, deponent answers, that he went out to the gaol about five o'clock on the afternoon of the 28th of July last, not accompanied by the Mayor, as he has been stated in a certain news-paper, but by the Rev. Mr. Beasley, his neighbour. That on arriving at the gaol, he saw several people assembled, and walking to and fro in the gaol yard. That deponent, together with another magistrate, James Wilson, Esq. approached the back door of the gaol, and knocked for entrance. That at length, after some time, they were heard and admitted, and both went into the room, or dungeon, where the gentlemen were confined who were taken from the house in Charles-street that morning. That the principal object of deponent in going into the prison, was to see a *friend* among the prisoners taken from the house in Charles-street. That after remaining in the gaol about half an hour or more, he came out, and walked up and down in the back yard of the gaol, where most of the people assembled then were. That he saw no person who spoke or acted violently but one man, whom he knew

not, but afterwards learned was one *Darrington*, or *Dirney*, or some such name. That after deponent walked up and down for, perhaps, an hour, he felt so much afflicted with his usual rheumatic pains, that he concluded to go home for rest, under a pleasing hope, from the then stillness of the people, that no violent or unlawful measures would be resorted to that night, at the same time leaving the Mayor, Gen. Stricker, and several other respectable gentlemen behind; and who, he doubted not, would stay and attend to the gaol if occasion required. That deponent heard no more until between ten and eleven o'clock that night, when, after he had retired to bed, he was called upon by one of his neighbours, and informed that all the gentlemen taken from Charles-street that morning, and confined in the gaol were killed by the mob.

To the 22d Interrogatory, deponent answers, that he knows nothing of his own personal knowledge, being closely confined to the duties of his office, until he went out to the gaol, where he saw no *militia* as such, though he saw Gen. Stricker, and the Mayor there, with several other gentlemen of respectability.

To the 23d Interrogatory, deponent answers, that he knew nothing of the assemblage of a mob before the post-office until the succeeding day—that he then learned the circumstance from the Mayor, who added, that he had lost his rest the preceding night on the occasion, and that as he had to go out into the country *that* evening, he wished deponent to attend the post-office as a magistrate, and to endeavour to get some other magistrate to attend there with him, that they might act in conjunction in keeping the peace, in case of any disagreeable or unlawful occurrence. That this deponent, aided by Robert Lawson, Esq. (another magistrate) attended there that night on the occasion; and that deponent did not confine his magisterial services at the post-office to that night only, as the post-master can bear witness to.

To the 24th Interrogatory, deponent answers, that he has no material knowledge more than he has already detailed in his answers to the various foregoing interrogatories, except, that after the confinement of Capt. White, Wooleslager, and Mumma, he attended the gaol occasionally, of nights, in his capacity of a magistrate, to preserve the peace, where he has also seen the Mayor on the same occasion, and where he knows the Mayor to have staid some nights until early in the morning.

To the 25th Interrogatory, deponent answers, that in addition to the order or call on Gen. Stricker, signed by this deponent, in conjunction with the Mayor, he believes there was another similar order or call on the militia, issued by two other magistrates, one of whom he thinks was Mr. Harris, but forgets who the other was, as he was kept closely confined to, and pressed with, the duties of his office, to which his principal at-

attention is always directed—and therefore, that he knows not to whom the latter order or call on the militia was directed, or their obedience or refusal to act.

To the 26th, 27th, and 28th Interrogatories, deponent answers, he has no certain knowledge at all.

Interrogatories to the Reverend John Hargrove, by Mr. Donaldson.

1st. Were you or not in the office of the Mayor on the morning of the 27th July, when Peter L. White, Mrs. White, his mother, and Dennis Nowland, called to see the Mayor? If you were, state the communication they, or any of them, made to the Mayor, and the apparent object they had in view.

Answer of John Hargrove to the first Interrogatory above.

I was in the Mayor's office on the morning alluded to, (the 27th July) when Mrs. White, and Peter L. White, her son, came there, together with Dennis Nowland. The apparent object they had in view, was to know from the Mayor what aid or interference he would afford in trying to obtain for them again possession of Mrs. White's house in Charles-street, taken a little previous to this by Messrs. Wagner and Hanson, or by Mr. Hanson, for the purpose of re-establishing there the news-paper called the Federal Republican—To which the Mayor first replied by referring Mrs. White to a Lawyer for advice; but, at the same time observing, that if Messrs. Wagner and Hanson, or Mr. Hanson, had legal possession of the house, they certainly could retain it during the time they rented it.

2d. Is it not your impression that their principal object in demanding the Mayor's advice and interposition, was to endeavour to get his aid in turning out of the house those who were then occupying it? And if so, what was the language held by the Mayor on that subject?

To the above 2d Interrogatory, deponent answers, that his impression certainly was, the application of Mrs. White to the Mayor, was in order to obtain his aid or interference in turning Messrs. Wagner and Hanson out of the house, or at least to prevent them from using the house as a printing-office, contrary, as Mrs. White stated, to the agreement when she let the house, (or not included in said agreement)—To which the Mayor replied, that he hoped the mob would not attempt to commit any outrage upon the house—that he had been himself up to the Grand Jury on the Gay-street riot, and expected to make some of the active persons there suffer for it.

3d. Did or did not the Mayor on that occasion tell Mrs. White and her son, “that he had been before the Grand Jury to present some of those who had pulled down the Federal Republican office, that he had no doubt they would all, or the princi-

pal part of them, be discovered and brought to justice? And what expressions upon this subject did he use?

To the above 3d Interrogatory, deponent answers, that in addition to what he has stated in the 2d answer, he remembers, that either Peter L. White, or Mr. Nowland, asked the Mayor if he would not protect the house, or property; to which the Mayor replied, as soon as the property of any other person.— Upon the said Peter L. White, or Mr. Nowland, again asking the Mayor would he permit him or them to retake possession of the house immediately, the Mayor replied, that if they resorted to force of arms, (or some such expression) they need not call on him for assistance, as he would not place himself between two fires.

4th. Was there or not any application made by White for leave to arm himself and friends for the purpose of turning out those who were then in the occupation of the house? If there was, state the reply of the Mayor to that application.

To this 4th Interrogatory, deponent has nothing material to add that he now can recollect, but what he has stated in his answer to the 3d Interrogatory.

JOHN HARGROVE.

Interrogatories by Mr. Dorsey.

1st. *Inter.* Have you never heard that any plan was agitated for the destruction of property or for the injury of any of the citizens of your town?

Answer. To the first Interrogatory, deponent answers, that he has no personal knowledge at all.

2d. *Inter.* Have you heard or do you know that any of the civil or military authorities of your town excited or approbated the conduct of the mob?

Answer. To the second Interrogatory, deponent answers as above, that he has no personal knowledge at all.

3d. *Inter.* Have you heard the Mayor assign any specific reason for his refusal to resort to measures of coercion against your mobs?

Answer to the 3d Inter. Deponent answers, that he has frequently heard the Mayor deplore the little influence he had over the Gay-street mob, and also that of the gaol, and that at both places he was not minded by those he spoke to, but rather once or twice replied to with insolence by some, and that the Mayor's want of more legal power, added to his native mildness, had each their share of influence on his proceedings.

4th. *Inter.* Have you not heard it remarked to the Mayor, or to some of his personal friends, that a vigilant prosecution of the offenders would destroy his popularity?

Answer to the 4th Inter. Deponent answers, that he never

heard the Mayor say any thing upon the subject that he can remember.

5th Inter. What o'clock was it when you saw the man called Dorring at the gaol?

Answer to the 5th Inter. Deponent answers, it might be, as near as he can now remember, about 6 o'clock in the afternoon, or after.

6th Inter. Did you not hear White apply for protection of the house against the mob?

Answer to the 6th Inter. Deponent answers, he did not.

7th Inter. Do you know, or have you heard, that any inflammatory publications were circulated, and which were calculated to excite the mob to the destruction of the persons in gaol?

Answer to the 7th Inter. Deponent answers, he has no such knowledge.

JOHN HARGROVE.

DEPOSITION
OF
DENNIS NOWLAND.

DENNIS NOWLAND, being first duly sworn—

Answer to the first Interrogatory.

On the night of the twentieth day of June last past, it was communicated to me, that a mob had assembled in Gay-street, and was tearing down the office of the Federal Republican. On receiving this information, I immediately repaired to the dwelling-house of Mr. Jacob Wagner, in Charles-street, (which house belonged to my mother-in-law Mrs. Jane White) fearing that the mob might take it in their heads to extend their mischief to the destruction of this house; on my arrival at the house, in company with Mr. John McLaughlin, I was informed at the front door by a negro woman, that no person was in the house, herself excepted. I directed her not to leave the house until my return. I then repaired to Capt. Christopher Hughes jun. who commands an artillery company, and asked him if he would undertake to protect this house in case it was attacked by this mob; Capt. Hughes replied he could not order out his company on such an occasion without an order from Brigadier-General Stricker, but he would individually do all he could in case of an attack, to prevent the house from being injured. From Capt. Hughes, I went to Gay-street, and was an eye-witness of the tearing down of the house in which the Federal Republican was edited, without the interference of any person to prevent the same.

To the third Interrogatory. The number employed appeared to be about twenty persons, but I cannot say what time they left the house.

To the fourth Inter. I cannot say whether the persons were natives or foreigners, they were principally grown persons, and from their dialect I was persuaded that a part did consist of foreigners.

To the fifth Inter. I cannot of my own knowledge say, that the destruction of the office was preconcerted, but I had frequently heard people say, that the editors of that paper would not be suffered to abuse the government of the country as they had done, after a declaration of war, which was then contemplated.

To the sixth Inter. I have no knowledge.

To the seventh Inter. The house destroyed was an old iron building and not valuable, its contents of type and paper I have no knowledge of the value.

To the eighth Inter. I do not know of either Mr. Hanson or Mr. Wagner being pursued with intent to injure them, except from hearsay.

To the ninth Inter. I have no knowledge except from hearsay information; which was, that one or two vessels regularly cleared out, was dismantled and prevented from sailing, until Mr. McCulloch, the collector, interfered, and forbid the interference of any person preventing their sailing.

To the tenth Inter. I have no knowledge further than answered in the ninth.

To the eleventh Inter. I do not know of the destruction of any other private property in this riot, except that connected with the establishment of the Federal Republican office.

To the twelfth Inter. I do not know of any attempt or threat to destroy any place of public worship, but was informed that threats were held forth against the African Meeting-house in Sharp-street, in consequence of which I saw several of the magistrates of the city assemble about said meeting-house, but saw nor heard of no attempts actually being made to injure it.

To the thirteenth Inter. I know of no combination to persecute or drive from his residence any person previous to the mob in Gay-street; after that many threats were made against Mr. Hanson and Mr. Wagner, if they ever attempted the re-establishment of the Federal Republican in Baltimore. Thomas Wilson, the editor of the "Sun," frequently within my hearing said, it was his decided opinion that the paper never would be permitted to be again edited in the City of Baltimore.

To the fourteenth Inter. I do not know, of myself, that any of the civil or military authorities, or the attorney-general, were present at the mobs, but was informed they were.

To the fifteenth and sixteenth Inter. On Monday morning the 27th day of July, I was informed that Mr. Alexander C. Hanson had arrived in the City of Baltimore, in company with a number of gentlemen, and had taken possession of the house lately occupied by Mr. Wagner, and belonging to my mother-in-law Mrs. Jane White, and that they intended issuing therefrom the Federal Republican paper; on receiving this information, I repaired to the dwelling of Mrs. White, in Pratt-street. On my arrival, I was informed that she had gone to Charles-street, with her son Mr. Peter L. White, to see Mr. Hanson. I immediately went in pursuit of her, and found her standing next door to this house, in company with several persons. She informed me that she had just been in to see Mr. Hanson, who had promised her that if any injury was done to the house, while he occupied it, he would doubly compensate her for it. I then suggested:

Mrs. White the propriety of our going to the Mayor, and know of him whether he could afford any protection to the property in case of an attack by a mob, which I dreaded in consequence of the reported threats held forth against the editors of that paper in case it was again established in Baltimore. She assented, and we went to the Mayor's office, in company with Mr. Peter L. White. On our arrival, we were informed by Mr. Hargrove, the register of the City of Baltimore, that the Mayor, Mr. Johnson, had not arrived, but probably would be in the course of fifteen or twenty minutes; this was about half past eight o'clock in the morning. I observed to Mr. White, that he and I should go to the Mayor's dwelling, and make known our business to him, and leave Mrs. White in the office until our return; he assented, and we went to his house, and was informed he was not at home, but had gone to his office in South-street. We immediately returned, but he had not arrived. In the intermediate time, I communicated to Mr. Hargrove, that Mr. Hanson had arrived in town, had taken possession of the house in Charles-street belonging to my mother-in-law, and was issuing, or was about to issue therefrom, the Federal Republican. Mr. Hargrove appeared much affected, and expressed regret that Mr. Hanson should attempt the re-establishment of his paper in Baltimore, and was confident it would be attended with no good effect; that the peace of the city was restored, and he dreaded the consequences. About this time Mr. Andrews, a city officer, came in, and Mr. Hargrove communicated to him what I had just related; he also expressed his surprise at the imprudence of Mr. Hanson, and was certain that the citizens would not let the paper be freely circulated in the City of Baltimore. Shortly after this conversation, Mr. Johnson, the Mayor, came into his office, and I introduced Mrs. White to him, and at the same time communicated to him the object of her visit, which was, that Mr. A. C. Hanson had arrived in town, and taken possession of her house in Charles-street, and was issuing, or was about to issue therefrom, the Federal Republican paper; that she dreaded the safety of her house in consequence of the reported threats of the populace of the city, held forth against the editors of that paper; that she had been to see Mr. Hanson, and requested him to give up the house to her, which he refused, but promised to make good any damage that the house might receive while he occupied it. I asked Mr. Johnson, whether or not do you possess power to call on the civil or military authorities to protect this property in case of an attack by a mob which was dreaded? Mr. Johnson, without hesitation, answered in the affirmative, that he did possess the power, and would exercise it, provided the persons in the house were not armed, or did not resort to arms; if they did, he would not place himself in a situation to be shot at. Previous to this, Mr. White had informed Mr.

Johnson that he had accompanied his mother to Mr. Hanson's, that he had seen arms in the house, and if the Mayor would give him the power he would protect the property whether they in the house had arms or not. I observed to Mr. White, that was out of the question. About this time Mr. Johnson observed, it was a very busy day, that he had much to attend to, and addressed himself to Mrs. White thus—"Madam, I do not think there is the danger to be apprehended for the safety of your property which you appear to apprehend;" this was repeated to Mrs. White, and we left the office.

On my arrival in South-street, I met with Mr. Nicholas Dubois, who inquired what my mother-in-law was doing in the Mayor's office? I informed him, and soon after parting with him, the Mayor requested him to endeavor to procure the Federal Republican paper for him. Mr. Dubois informed me that he did get the paper, and gave it to the Mayor for perusal. After parting with Mr. Dubois, I went to Mr. Wilson, the editor of the "Sen," and on meeting with him in his office, I accosted him thus—"Mr. Wilson, have you heard the news this morning?" he replied "Yes—Nathan Tyson is loading a vessel with flour for the British troops in Spain, and it is doubtful whether she will be permitted to go."—I observed, no, that is not the news, but that the Federal Republican paper was circulating through the city, and I was apprehensive that it would occasion some disturbance, and begged of him, as he was an influential person with the Republican party, that he would exert himself to prevent the house being injured, which Mr. Hanson was occupying, in case an attack was made; he observed that he would do all he could to preserve the property, and expressed it as his firm belief, that an attack would be made; that the people had become so incensed against the paper that they would not suffer it to be again established in that place, and abuse the government as they had done, and recommended me to go to Mr. George Woolpert on the Point, and inform him of the circumstances, that he could do more than any other person towards protecting the property, and gave me his name on a piece of paper. I went to the Point, and was informed that Mr. Woolpert was not at home; I went from there towards the Coffee-house, and met with Mr. John Snyder, Colonel James Blais, and many others. I stated to them the circumstances of the Federal Republican being circulated in the city, and they gave it as their opinion that it was an imprudent act, and that it would produce another riot. Between the hours of eight and nine o'clock that night, I was informed that the mob had assembled in Charles-street, and had made the contemplated attack. I immediately repaired to the house, and on my arrival I saw a number of boys, of various sizes, in number twelve or fifteen, throwing stones, brickbats, &c. into the windows, door, against the wall, &c. and a few men

in the middle of the street encouraging the boys in their proceedings. I expostulated with those men, and begged of them to make the boys desist from injuring the house, that it was a widow Lady's property, and the loss to her would be great—that the destruction of it certainly could be no object with them. One of them replied, “no, Hanson, the damn'd tory, is our object, and we will have him.” I observed, that was not the way to get him, on my saying this two of the five left me, and at this moment a stove plate was thrown from the house, and cut off part of my left foot, which was so severe as to prevent me from walking, and I was carried home. The front door at this time was burst open, the glass of the first and second stories nearly all broke to pieces, at which time there had been no firing from the house. Being confined to my bed after that, prevented my having any personal knowledge of the further proceedings of the mob. I am of the opinion, that the wound I received was from a stove-plate thrown from the upper part of the house, and Mr. Ephraim Gaither informed me, that he did throw a stove-plate from the house that evening.

DEPOSITION
OF
CHARLES ROBINSON.

CHARLES ROBINSON, being first duly sworn—

Interrogatory to Mr. Charles Robinson.

First. Were you present at the gaol on the evening of the twenty-eighth July last? if you were you are desired to state particularly all you observed in relation to the conduct of Mr. Johnson, as to his endeavors, if you observed any, to prevent the mob from breaking into the gaol.

Answer. I was there from about three o'clock until I brought Mr. Johnson home, I was generally with him the whole evening, and particularly observed his conduct, and heard him speak to the people, repeatedly entreating them to desist and refrain from violence. When towards dark a large body had assembled round the back door of the gaol, Mr. Johnson rushed into the midst of the crowd, and this deponent then lost sight of him. After some time he came out apparently much exhausted both in body and mind; he observed to deponent that he had done every thing he could do, both as Mayor of the city and as an individual, and found he could have no effect with them. I then took him by the arm, advised him to go home, and supported him home. During the afternoon there were various groupes of people about the gaol, whom deponent did not know.

CHARLES ROBINSON.

DEPOSITION
OF
JOHN GEIGER.

JOHN GEIGER, being first duly sworn—

Inter. 1st. Did you not reside in Charles-street in a house nearly opposite to Mrs. White's house in July last?

Answer. I lived nearly opposite to that house.

Inter. 2d. On the day of the attack made by a mob on that house did you remark any extraordinary preparations on the part of the persons who occupied that house? If you did, state particularly what circumstances of preparation, exciting the attention of the neighbourhood, then occurred.

Answer. I did not see any exercising with arms—I saw one musket going in; I saw the arrival of a stage before the door, in which I heard the rattling of something, which I took to be muskets. I saw no presenting of guns out of the window.—When Dr. Gale came down, cursing and swearing at the tories, alluding to the persons in the house, just at night, I shut up my shop immediately, being much alarmed. Mr. Webb at the same time shut up his shop. The only injury done to my house by the fire from the opposite side of the street, was a single shot, which passed through the upper part of the door; there were various marks of shots on my walls.

JOHN GEIGER.

DEPOSITION
OF
HENRY C. GAITHER.

HENRY C. GAITHER, being first duly sworn---

Answers of Henry C. Gaither to the Interrogatories of the Committee of Grievances and Courts of Justice.

This deponent answereth and saith, that he has no personal knowledge of any fact to enable him to answer the first 14 Interrogatories put by the Committee.

To the 15th, this deponent answereth and saith, that he was one of those who defended the house in Charles-street, Baltimore, on the 27th and 28th of July last. That he, this deponent, entered said house about twilight on the said 27th, found several acquaintances in the house, and others with whom he had no acquaintance. The said house was armed with muskets, bayonets, pistols, and swords. General Lee had the command in defending the house; he requested all those in the house to be silent, and keep no unnecessary light that might to attract the notice of the mob. I was stationed in the front room, on the second story, Mr. Hanson was to direct the defence of said room. Within a very short time after this deponent entered said room, the house was violently attacked by a mob; stones were thrown in showers at the windows, accompanied with shouts and huzzas. Mr. Hanson opened the shutters of a window, and requested the mob to desist from such violence; that he and his friends were peaceably enjoying his rightful property; that he had a lease on the house, which was his castle, and requested them to desist, that the house was armed, and if they continued the assault, he should be compelled to fire on them. Gen. Lee, and others, repeatedly requested and ordered the assailants to go away. The mob continued the assault by throwing stones, and pronouncing those within Tories, &c. &c. Mr. Hanson proposed firing on the mob--General Lee objected, saying, the civil authority would interfere. Gen. Lee was requested to look at the shattered condition of the windows, at that time nearly demolished; he replied, we must not mind our windows, they are in the wrong; we must be sure to keep them in the wrong; they will get ashamed of their own conduct, and go away. Mr. Hanson, and others, insisted upon firing on the mob; Gen. Lee agreed we might fire over their heads, by way

of intimidation—the windows were opened, the guns elevated, so as to throw the balls over the houses on the opposite side of the street—The mob dispersed, though returned in a very short time, with increased violence attacking the house in front and rear. Mr. Hanson insisted on giving the mob a serious fire—Gen. Lee objected, said the civil authority must interfere; that when things were pushed to the extreme he would defend the house, that we must permit the door to be broke open; that he could and would defend the house against all the force of Baltimore. The signal for our firing was to be a report of a gun from the foot of the stair-case. Soon after we heard a report; opening the window shutters, gave notice to those not concerned in the mob to clear themselves, and gave the assailants a serious fire—the mob then dispersed. Judge Scott arrived about this time, was admitted in the house; he requested of Mr. Hanson to spare the effusion of blood, by leaving the house; Mr. Hanson replied, it was not his wish to shed human blood, that the mob might, and ought to be dispersed; he reminded the Judge of the time when his own house was likely to be attacked by a mob; you must recollect Judge, I volunteered to defend your house; you then told me I had a right to fire on the mob—the Judge replied, I do recollect the time, and I tell you the same now—The Judge left the house. The mob continued the assault—there was frequent attempts made to fire on them, at which times they would disperse. About this time a troop of horse arrived, the mob fled at their first approach, exclaiming the troop is coming, the troop is coming! a number of the mob dispersed run into alleys, and down the street. The troop halted above the house. Maj. Barney, the commander, addressed the mob, whose number at the time did not exceed 20 or 30; informed them he was their friend, and they must hear him; that he was their personal and political friend; that he was directed by Gen. Stricker to restore order to the city—you must disperse, and by God I will take possession of that house, pointing to the house we were in. The mob requested to see his authority; Major Barney dismounted, put his hand to his pocket, and, as this deponent thought, took out a paper—he mixed in the mob, took them by the hand, exclaiming, I am your friend, and you are all my friends; you are not only my personal friends, but you are my political friends—He then walked across the street to an alley, followed by the mob, where they conversed; this deponent did not distinctly hear the conversation. In a short time the mob took off their hats and gave three cheers. This deponent informed Mr. Hanson in what manner Major Barney addressed the mob on his arrival, and suggested the propriety of calling on Major Barney to know his object. This deponent further saith, Major Barney's conduct so differed from his ex-

pectations, he was induced to believe that Major Barney's principal object was to secure the gentlemen in the house, as this deponent verily believes the mob might have been dispersed, had the civil and military officers made use of proper exertions. Mr. Hanson informed this deponent, that he called on Major Barney, who said that his orders were for the safety and honour of the gentlemen in the house, though he was obliged to talk otherwise to the mob. There was a guard posted in front and rear of the house by Major Barney, as this deponent understood, to prevent further assault on the house. There was a cannon brought down an alley about the first dawn of day, which was directed towards the house, and frequent attempts made to fire—Major Barney mounted the cannon, told the mob they must not fire, if they did they should kill him, who was their best friend. The mob rapidly increased, became very insolent; came before the house, call'd for little Elleck to shew his eye out of the window; pronounced him a damn'd tory, a British hireling, a hireling of Foster, and such like opprobrious epithets. In this state of things, the Mayor of the city, General Stricker, and John Montgomery, arrived; they were admitted in the house,; the Mayor asked for, and addressed Mr. Hanson with great warmth, appeared much agitated, or irritated, told Mr. Hanson that the blood of the citizens had been shed in the street; they were extremely exasperated; that he had no doubt there would be 2000 men before the house under arms by 12 o'clock, if the house was not surrendered. Mr. Hanson replied, telling the Mayor, it is your duty to disperse the mob; that he would never surrender until the mob was dispersed—the Mayor declared he could not disperse them, though if Mr. Hanson would spare the further effusion of blood, and surrender to the civil authority, he should be protected to a place of safety. Mr. Hanson replied, he had no disposition to resist the civil authority, declared it to be the Mayor's duty to disperse the mob, when that is done I will obey the civil authority. The Mayor said, if Mr. Hanson would surrender to the civil authority, and go to gaol, as a place of safety, the mob would be satisfied and disperse, and the party could come out of the gaol. Mr. Hanson, or Gen. Lee, exclaimed, what do you say sir to gaol? Are we to be marched through the street, like malefactors, who have done no wrong? The Mayor declared his inability to protect them unless his offer was accepted. He said, that the citizens then enraged and assembled, were men of the first respectability in the city; they were not those who composed the mob the night before. He said, the government had declared war, that we were then in a state of war; that the government was implicated in the dispute between parties; that he was impressed with a belief that a civil war was inevitable; that such opposition must, and would be noticed; he consid-

that a party thing, and the commencement of it. Mr. Hanson replied, he had no disposition to enter into a political dispute with the Mayor at that time; that he had an undoubted right to defend his house, which was his castle, and he would do so. The Mayor entered into conversation with Gen. Lee, or some of the gentlemen, urging the necessity of leaving the house and going to gaol. Mr. Hanson requested of this deponent to oppose the surrender; said, if we do surrender every man of us will be murdered; that we ought not to calculate on the promised protection; we were capable of defending the house, and it would be more honourable for us to die with arms in our hands than to be murdered in the street. The Mayor heard those observations, turned to Mr. Hanson, called God to witness the sincerity of his declarations, said Mr. Hanson should have an escort of his own friends to guard him to gaol. Mr. Hanson told the Mayor to disperse the mob, it was his duty, and he might do it; the Mayor said it was not in his power—Mr. Hanson replied, if you have not the power to disperse the mob how can you promise me protection; you must know that I shall be shot down in the street before I walk 20 yards; you know me to be the mark'd victim, and how can you ask me to surrender my person and property to a mob, when you know both will be destroyed. The Mayor said it is not the mob you surrender to, it is to the civil authority, there shall be a guard placed in the house, nothing shall be injured; he pledged his life and honour to protect Mr. Hanson from injury, that he would walk by his side, and if Hanson fell, he would fall with him. Gen. Lee told Mr. Hanson his prejudices carried him too far; it is impossible we can be deceived after such solemn pledges for our safety. Mr. Hanson replied, Gen. Lee you do not know of what materials those men are composed, there is no confidence to be placed in them, let us defend the house to the last extremity. This deponent addressed a man who he supposed to be Gen. Stricker, he said his name was Montgomery—This deponent recognised him to be John Montgomery, the attorney-general of the state; asked him why we should be sent to gaol, that we had violated no law, we had merely acted on the defensive. Mr. Montgomery replied, that subject can be investigated hereafter, though, sir, if you wish to leave the house, you can go down with me and pass out unmolested.

The mob made an attempt to rush into the house by Major Barney's guard; it was necessary to double the guard on the stair-case—we were about to fire on them; Major Barney's guard told them to stand back. About this time E. Gaither fell on the stair-case, in a convulsion fit, this deponent carried him up stairs with assistance, laid him on a bed, and attended to him. This deponent recollects one of the gentlemen coming to him, in the room where E. Gaither lay on a bed, and requested of

this deponent to go down and use his influence with Mr. Hanson, and get him to agree to the surrender, that Gen. Lee thought it best, and he was of opinion we should have the promised protection. This deponent told him, that Mr. Hanson knew those men better than Gen. Lee, and requested of him to go back and oppose the surrender. Mr. Hanson came into the room some short time before the surrender, where E. Gaither lay on the bed, this deponent requested of him not to give up the house before E. Gaither got better. Some short time after, this deponent heard some person urging those in the house to come out—Mr. Hanson replied, there was no necessity for being in such a hurry; the same voice declared that five minutes delay would prove fatal. The house was surrendered, and the mob came in on this deponent and his two brothers.—This deponent accompanied his two brothers down stairs, and passed out unmolested; we advanced some distance up the street, one of this deponent's brothers was recognised, and pronounced as being one of the damn'd tories who defended the house. He was seized with violence, his pocket searched and robbed. This deponent told the mob he was no tory, that he was a sick man under his protection; finding no possible chance of escape—this deponent told the mob he would take him in the ring with the other prisoners, which was done with much difficulty. This deponent marched some distance in company with his friends and fellow-prisoners surrounded by hundreds or thousands, who appeared ready to tear them to pieces.—This deponent being under an impression that we should all be murdered, either on the way to gaol or whilst in gaol, and further considering, that every thing like a common cause being at an end, came to a determination to try the chance of escape by getting out of the guard and making his way through the mob, which this deponent providentially effected, and immediately left the city.

To the 16th Inter. This deponent answers and saith—having understood that no exertions were made by either the civil or military officers of the city of Baltimore to prevent the destruction of the Federal Republican office on the 22d June last; and the hostile disposition of the citizens of that city towards the editors of the above mentioned paper, and seeing an assemblage of people before the house at the time this deponent entered the house in Charles-street, induced him to suppose an attack was contemplated.

This deponent further saith, that he has no personal knowledge of any fact that will enable him to answer the remaining seven Interrogatories.

Interrogatories put by Mr. Donaldson, one of the Committee, to Mr. Gaither.

1st. Did not Messrs. Johnson, Stricker, and Montgomery,

appear to you sincerely anxious to save the lives of the party in the house?

Answer. I doubted their sincerity.

2d *Inter.* What do you suppose was the number of persons collected before the house when the negotiation about the surrender was carrying on?

Answer. I cannot say with any accuracy.

3d *Inter.* Was there any proposal made by any person in the house, and whom, to detain the persons of Stricker, Johnson, and Montgomery, or any of them, as hostages for the safety of those in the house?

Answer. Not to my knowledge while in the house.

4th *Inter.* Do you know when the agreement to defend the house in Charles-street was first made, and to whom, and by whom applications to join in the undertaking were made?

Answer. I do not know when the agreement to defend the house was entered into; Mr. Hanson on the 24th of July, informed me of his intention to re-establish the paper in Baltimore.

5th *Inter.* Do you know in what manner your brother was wounded?

Answer. My impressions are, that my brother was wounded by a ball fired by some person in the street.

6th *Inter.* Did not Major Barney immediately post his men in front and rear of the house upon his arrival there, and before any communication with the mob?

Answer. No.

DEPOSITION
OF
HENRY D. SCOTT.

HENRY D. SCOTT, being first duly sworn—

SOME time in October last, John Montgomery, esquire, in conversation with myself, said, that after the acquittal of Kenelom White, Thomas Burk, and ——— Ferguson, the two former for the murder of Gen. Lingan, and Ferguson for killing a man in a fight, no man was safe in Baltimore; that no jury could convict a man for murder after these verdicts, and that every man must protect himself.

HENRY D. SCOTT.

Annapolis 21st December, 1812.

Interrogatories to Mr. Scott.

1st. State your impression of Major Barney's address to the troop before you marched down Charles-street?

The Troop had formed in Market-street, opposite to Charles-street; Major Barney came up Charles-street, and gave the following: You are not to draw your swords unless you are personally attacked; you are not to resent opprobrious language; you are not to draw your swords but by my order; your swords once drawn, you are to use them like men.

Second. Were you stationed by Major Barney as a guard in the house on the night of the twenty-seventh? Had you any conversation with any of the gentlemen in the house, and whom, the next morning, with respect to a surrender? State the conversation.

I was stationed, with three others, by Major Barney, in the yard; in the morning I went on the stair-case and was conversing with some of the party; they informed me it was their belief that the house would be surrendered to the civil authority. I do not remember who they were, but believe R. J. Crabb, esquire, was one of them. I advised their keeping possession of the house, stating that it was my opinion they could defend it against the whole town.

DEPOSITION
OF
JAMES STERETT.

JAMES STERETT, being first duly sworn—

James Sterett's answer to the first Interrogatory.

I was present at the destruction of the house in Gay-street, in the City of Baltimore, on the night of the twentieth of June, in which the paper called "the Federal Republican" was published.

To the second Interrogatory. I did not see any of the Judges, Magistrates, or Constables present. I have no knowledge of the military being ordered out to drive off the mob employed in demolishing the office. If orders had been issued, I should have received them, being the commander of the "Troop of First Baltimore Hussars," and reside in the late office of discount and deposit, directly opposite the printing-office.

To the third Inter. The attack on the house was commenced before dark, by a small collection of boys, who were employed in throwing stones at the house; they appeared to be pushed on by three or four men, who were entire strangers to me. I had sufficient influence, with the assistance of Capt. Samuel Sterett, Mr. J. Kerl, and three or four others, to drive them off, and induce the men to withdraw, that had assembled in front of the office; but shortly after the boys returned from towards the Market-house, followed by several men, and commenced a second attack on the house. About thirty persons appeared actively employed in the destruction of the property, which was not completed until nearly two o'clock the next morning. After the destruction of the office, the mob drew up before the late office of discount and deposit, where I reside, and demanded Jacob Wagner, who they declared was in the Bank. Many of the mob called out for Harrison, and swore they would have him. Mr. Andrew Boyd and Doctor Owen got ahead of them, and took possession of the steps leading to the back part of the Bank on Second-street. Mr. Boyd and Doctor Owen addressed the mob, which induced them, after some time, to withdraw. I have no doubt the doors would have been forced, and the house examined, if it was not for the handsome conduct of the above mentioned gentlemen, and many others unknown to me. I had, early in the evening, received information from a man of the name of Robert McClellan, a shoemaker, that the mob intended to attack the Bank after they had destroyed the office, which induced me to remain in

the house, after I had collected some friends and arms to resist them if they dared to enter the Bank.

To the fourth Inter. I cannot say of what description of persons the mob was composed. I observed many men employed with axes, and others employed in pulling at a rope, attached to a fire-hook, which was fixed to the house.

To the fifth and sixth Inter. I have no knowledge that the attack was a preconcerted one, and neither have I any information that the civil authority were informed of the contemplated destruction of the building.

To the seventh Inter. The probable value of the house destroyed was two thousand dollars—of the value of the property contained therein, I have no knowledge, being unacquainted with the value of the establishment.

On the 8th, 9th, 10th, 11th, and 12th Interrogatories, I have no knowledge.

To the thirteenth Inter. There were several attempts by the mob to tar and feather several persons after the destruction of the office in Gay-street, particularly the case of Alexander Wiley, who was twice forced to leave his residence in Gay-street to escape being tarred and feathered, or killed, as it was a mob principally composed of Irishmen who were after him.

On the nine Interrogatories, commencing at the fourteenth, and ending at the twenty-second, I have no information to furnish the committee, being absent from the city during the occurrences embraced therein.

To the twenty third Inter. I was present when the mob collected near the post-office, and were forced to retire by the troops of horse under the command of Lt. Col. James Biays. The First Baltimore Hussars under my command, were ordered out on this occasion. I was sent to Fell's-Point, by General Stricker, to report myself to Colonel Biays, and directed by him to inform the Colonel, "that he had received such information as to make it absolutely necessary that I should turn out that evening with the Fell's Point troop, as the post-office was in danger." The Mayor turned out, mounted on horseback, with a sword at his side, and accompanied the cavalry from his residence to the post-office. Brigadier-General Stricker remained at the post-office all night, but was not equipped as an officer. Colonel Joseph Scarlett commanded a detachment of infantry, and arrived at the post-office a short time after the mob were dispersed in Market-street. I have no doubt had the troops of cavalry delayed their movements for a few minutes longer, the mob would have entered the post-office.

A man of the name of Daly was very abusive to Colonel Biays; I pursued and arrested him; the Colonel directed him to be discharged, observing, "he knew where to get him if the Mayor wanted him the next day." The cavalry was formed in

Market-street, fronting St. Paul's Lane, which leads immediately to the post-office. On halting and forming in line, the mob were remarkably abusive. Colonel Biays gave orders to draw swords, and declared if the mob did not retire, "he would take a fin off from some of them." At this time the mob were very noisy, and some of them gave three cheers; two of the Hussars dashed in among them, without orders, which induced the mob to scamper off in every direction. I observed John Montgomery, Attorney-General of Maryland, among them. The troops remained on duty all night.

Interrogatories put by Mr. Donaldson, one of the committee, to Mr. Sterett.

First. You observe in your deposition that you saw John Montgomery, Attorney-General of Maryland, among the mob collected before the post-office, is it your intention to say, that John Montgomery was one of the mob?

Answer. Mr. Montgomery was among those dispersed by two Hussars who charged without orders.

Second. Is it your opinion that Colonel James Biays discharged his duty correctly on the night of the apprehended attack on the post-office?

Answer. I think Colonel Biay's conduct was that of an officer,

DEPOSITION

OF

SAMUEL STERETT.

SAMUEL STERETT, being first duly sworn—

Answers of Samuel Sterett to the Interrogatories of the honourable the Committee of Grievances and Courts of Justice.

To the first Interrogatory he says, that he does know the Federal Republican office in Baltimore was destroyed in June last by a mob, or convention of persons, not personally known to him.

To the second he says, that he was present when the destruction commenced, and repeatedly endeavored to disperse the crowd, but he saw no Magistrate, Judge, or Constable there, nor did he witness any exertions to prevent the destruction of the property, or arrest the rioters, except the unsuccessful exertions of deponent, aided by a few friends. He does not know whether the military was or was not ordered out. From the observations he made, he is decidedly of opinion, that at any time before nine o'clock, it was in the power of the civil or military authority to have prevented the destruction had it been attempted in a proper manner.

To the third Interrogatory he says, that when the work of destruction commenced, there appeared to be about fifty persons assembled, the greater part spectators. Deponent left town between eleven and twelve o'clock, when the streets were crowded, and perhaps a thousand persons within view, but still the working party was not numerous—The others were spectators; some approving, others apparently indifferent, and none opposing.

To the fourth he says, that he observed both natives and foreigners among the rioters. The foreigners, he thinks, were the most clamorous and violent, if not the most numerous.

To the fifth he says, he only knows that before the attack was made, he heard that a plan was not only formed for that purpose, but to seize Mr. Wagner, and to expose him in some ludicrous attitude; but when, or by whom such plan was laid, he does not know, nor was he disposed to believe that it would be executed.

To the sixth he says, that he has no knowledge.

To the seventh he says, that the house destroyed was probably worth two thousand dollars, but he knows nothing of the value of the property destroyed within the house.

To the eighth he says, that he has no knowledge.

To the ninth he says, that vessels regularly cleared out were dismantled and prevented from sailing by a mob of persons whom he does not know.

To the tenth he says, that he only knows the reports that were circulated.

To the eleventh and twelfth he says, that he only knows the reports that were circulated.

To the thirteenth he says, that he witnessed the terror and consternation of many respectable persons, who told deponent that they were threatened by the mob, but by what member or members of this many headed monster, he does not know. He also knows, as he more than once witnessed, that a man named Alexander Wiley, an Irishman, was threatened and persecuted by the mob, and driven from his residence for several days—The collection was composed principally of Irishmen, and Wiley has told deponent that it was to gratify private revenge, and that the enmity to him partook of religious animosity. Deponent was disposed to credit the representation, as neither Wiley himself, or any of the mob deponent conversed with, seemed to understand much about political subjects, or the distinction of parties. They had a cant term, "*Tory*," which was the signal for insult and violence. The pretext, however, for threatening Wiley was, that he had rode express for Wagner, which was not true, and this being explained to them particularly, by the gentleman who had employed Wiley, the last time of assembling, they were induced to go away, but it seemed to be an unwilling retreat, and perhaps would not have taken place had it not been for the influence of a person named Gill, a taylor, and their belief that Wiley had escaped.

To the fourteenth he says, that he has no knowledge, except, as well as he recollects, having seen the attorney-general when Wiley's house was last threatened, and when he was using his endeavors to prevent mischief.

To the fifteenth and sixteenth he says, that he has no knowledge.

To the seventeenth he says, that having been absent from town the night of the 27th July, he had no knowledge of the occurrences in Charles-street until the next day. He overtook the military returning from the gaol, where General Stricker informed this deponent they had lodged Mr. Hanson, and a number of his friends; and he also stated some of the circumstances of the attack, defence and surrender. Deponent soon became sensible of the extent of the popular commotion, and was filled with apprehensions for the result. He united with several others in soliciting the Mayor and Brigadier-General, and Chief Justice, to cause the military to be called out, to enforce the laws and protect the peace of the city, and particularly to guard the gaol. A requisition to the Brigadier-General for this purpose was

DEPOSITION OF

signed by the Chief Justice, the Mayor, and two Magistrates, as well as he recollects. He saw a written order from the Brigadier-General to Lieut. Col. Sterett, to turn out the 5th regiment to support the civil authority, to the best of his recollection.

To the eighteenth he says, that the order to the 5th regiment was obeyed by very few, perhaps not more than thirty persons, of which deponent was one. It is impossible for him to designate by whom it was disregarded, or the reasons they assign; but it appeared to deponent, that whilst some cautious persons voluntarily withdrew from what they deemed an unequal contest with an infuriated mob, the far greater part were actuated by political animosity towards Mr. Hanson and his friends and adherents, and instead of rallying for the defence of the law, actually composed the greater part of the mob. Deponent has never heard of any investigation into the conduct of refractory officers by order of the Brigadier-General.

To the nineteenth and twentieth he says, that he has no knowledge.

To the twenty-first he says, that after the militia was discharged, and confiding in the assurance of the Brigadier-General that their services would not be longer wanted, Colonel Sterett and deponent determined to return to their families then in the country. On their way, they turned towards the gaol, and found the mob in great force, and in a few minutes they heard a hammering or beating against the back door. It was opened, but evidently not by the force applied, provided it had been properly secured within, as was observed by deponent at the moment. It was now about eight o'clock. To frustrate the mob, or render any service at the prison, was deemed impossible to them, and they returned into town to renew their exertions to raise an adequate force, which seemed to be equally impossible. The Brigadier-General could not be found—The *posse comitatus* was summoned, with little effect—and the report of the massacre at the gaol soon reached the few who collected at the court-house, when they dispersed.

To the twenty-second deponent says, that part of the militia was ordered out on the twenty-eighth July for the support of the civil authority, and to protect the gaol, consisting of the 5th regiment, and, as he understood, two companies of artillery and some horse. The order proceeded from the Brigadier-General to Colonel Sterett, as respects his regiment the 5th. About thirty men obeyed, and commenced their march towards the gaol, headed by the Colonel and Major Heath, and accompanied by a few horsemen, perhaps five or six. After proceeding some distance, they were ordered back into Gay-street, where they assembled in the first instance, by Brigadier-General Stricker. They were detained under arms some short time, and then dis-

missed by the Colonel, who told deponent it was by order of the Brigadier-General, who considered it unnecessary to keep them longer under arms, as they had so far got the command or controul of the mob as to prevent their breaking the gaol. Deponent heard afterwards from the Brigadier-General, that he thought the force insufficient, and that it would be only murthering, or sacrificing them to no purpose to attempt to march them to the gaol, and that this was an additional motive for discharging them. No man refused to march—Some complained that they were not furnished with ball-cartridges.

To the twenty-third deponent says, that the destruction of the post-office was threatened by the mob for receiving the Federal Republican, sent by the mail from George-Town, and it was prevented by the interposition of the civil and military authorities. Without the latter, in the opinion of deponent, no art of persuasion could have induced them to desist, nor could the civil authority alone have succeeded, he means such civil officers as were prepared to act. The military kept guard at the post-office for several nights, and were ordered to be on the alert through the day.

To the twenty-fourth deponent says, that he did not see the Mayor on the night the Federal Republican office was destroyed, and deponent was not himself present at the attack on the house in Charles-street, nor the prison, except the short time before related. The Mayor at other times consulted and conversed with him freely on the existing temper of the mob, and the deplorable situation of the city. The laws could not be executed, as was declared to a meeting of citizens, called by the Mayor, by the attorney-general of the state. The fate of Federalists and their property seemed to be suspended by a thread which any one of many sanguinary scoundrels could cut when he pleased. In the midst of all this anarchy and confusion, alarms were raised of a conspiracy among the negroes, hostile to the whites. The Mayor repeatedly called together numbers of his fellow-citizens, of different political sentiments, to consult on the best plan of restoring order, of which deponent was generally one.—He seemed to deponent most sincerely and seriously to lament the disasters which took place, and he was unremitted in his exertions to quell the mob, and to restore the reign of law, as far as came within deponent's observation, and he often saw him, and witnessed his conduct.

Deponent then was, and now is of opinion, that if the small military force assembled in Gay-street under Colonel Sterett, had been headed by the Brigadier-General and the Mayor, with some of the magistrates and constables, the catastrophe at the gaol might have been prevented. This force, he has no doubt, could have been thrown into the prison, and when there could have defended it against the mob until their fury subsided, and

honest and good men could have interposed. Whilst deponent laments the fatal credulity that trusted to a wildly outrageous mob, he does not mean to ascribe criminality of intention to the Brigadier-General or the Mayor—He thinks the devil was raised by the arts of wicked demagogues, who probably expected they could command, that “thus far you shall go and no farther.” But their influence on trial failed, and it was long before better men could lay him. During this reign of terror it is impossible to depict the alarms and misery of some of the most respectable citizens, nor have they yet a perfect confidence in their security; they seriously apprehend that the mob, that terrible engine of cruelty and oppression, will again be put in motion on the slightest pretexts, in consequence of the acquittal and impunity of some notorious offenders.

Deponent further states, that after the tragical scene at the gaol, and during the reign of the mob, many expedients were devised for restoring order. A committee of citizens recommended a call of the city council. A committee of investigation was appointed by that body, with authority to call in the aid of other citizens. Robert Gilmor, William Cook, and William Gwynn, esquires, and this deponent, were of the number selected. On consultation with each other they agreed to act, and to sacrifice all minor considerations, and even risk censure, to obtain the great good in contemplation. The very circumstance of instituting an inquiry, particularly by a tribunal of the people's own choice, seemed to produce reflection, and to arrest violence, and men came forward who were not before to be seen. The investigation was imperfect, not under oath, and not satisfactory, and all knew must be inoperative in a court of justice. Still it was calculated to produce the desired effect in part; the report appeared to be warranted by the *ex-parte* evidence produced. The letters accompanying the report, were submitted to the committee by the Mayor, who stated that they had been thrown into the office of the Whig newspaper, and from thence brought to him. They were previously the subject of general conversation, and, as is not uncommon, the contents were exaggerated and grossly misrepresented. Extracts, or pretended extracts, were made, and a publication, with inflammatory comments, was threatened. In this situation it was considered the least evil to make them accompaniments of the report, although not approved by the gentlemen above named, nor this deponent.

To the twenty-fifth he says, that he heard the general summons by the Sheriff, but cannot specify any particular person that was summoned.

To the 26th, 27th, and 28th, he says, that he has no knowledge.

To Captain Samuel Sterett.

First. State particularly the treatment you experienced from the mob, or any of them, when you interfered at the Federal Republican office in order to deter them from its demolition.

2d. Did you not call on the Mayor on the twenty-eighth, to sign the requisition for the militia, and did not the Mayor then say to you, "remember my predictions, God grant they may not be verified; I have no confidence in the militia, they will not obey the call, this is not my scheme for the protection and defence of the prisoners, the civil authority only ought to be resorted to?"

Answer to the first. When I first made an effort to disperse the collection at the Federal Republican office, I was alone, and the collection small. I conversed with two or three men, who were disposed to disperse on my representation of the illegality of their proposed conduct, which they confessed was to pull down the office. The second time I was accompanied by two or three gentlemen, and the collection still seemed disposed to disperse, but the crowd returned in greater numbers. I made efforts to raise a party of the friends of order—a few were willing to join me, and only a few. Believing I was followed by them, I rushed forward to the house, the destruction of which had just commenced. One person with a club, who was encouraging the mob, I seized—he gave up his club. I took hold of another who was hammering at the window, and commanding the peace, he surrendered, and in my attempts to get him through the crowd, a person from behind called out "knock him down," which was quickly done, and by more than one blow. I rose, was hustled out of the crowd, and went into the house of Mr. James Sterett. Before the last attempt, I seized a person who was encouraging the mob, took him into Mr. James Sterett's, and threatened to deliver him over to a magistrate. He promised to take no part in the business of the mob when I released him.

Answer to the second Inter. I was one of the persons who called on the Mayor to sign the requisition to the Brigadier to turn out the militia on the twenty-eighth. On that occasion, I remember the Mayor making an observation to this purpose. "That the militia would deceive us—that they were on the side of the mob, and that the mob could not be dispersed by force, and that he could do more with a few friends, by persuasion, than could be accomplished by force." These are the impressions of my mind, but I do not pretend to recollect with precision the occurrences of that moment. The opinion of the Mayor was not peculiar to himself, but avowed by others, and their actions corresponded with their opinions—They were not seen in arms, or at the head of the military on the twenty-eighth—The result proved the fallacy of their opinions. On the subsequent occasions at the post-office, both the Mayor and the Bri-

radier headed the military, and completely succeeded in protecting the property and preserving the peace of the city. Although not with the militia on the twenty-eighth, the Mayor, as far as I witnessed, and was informed by others, was very active, zealous and sincere, in his own way, in his efforts to suppress the mob, and no doubt he thought his own way best, as he had not confidence in the militia.

3d. Do you trace the general spirit of insubordination to the civil authority which has so long existed in Baltimore to any defect in your system of police, or to the depravity of your police officers, or to the impunity which has been granted to the disturbers of the peace? Answer this as fully as your experience and observation will enable you.

4th. You remark that the Mayor was frequently in the habit of advising with you as to the course of measures which ought to be pursued in order to preserve the peace of the city—did he adopt those recommended by you, or were his measures timid and doubtful?

5th. Did Mr. Montgomery, at the meeting of the citizens at the Mayor's office, state any opinion as to the impracticability of convicting by a jury of your citizens any disturbers of the public peace?

Answers to the foregoing Interrogatories.

To the first. The greater part of Baltimore being, or professing to be, what are called democrats, and devoted to the present administration of the general government, were highly incensed at the severe strictures of the Federal Republican newspaper on the measures of that government, particularly the war measure. Their language of disapprobation was of the strongest kind, and well calculated to produce anger, enmity and resentment. Threats followed, and finally the unfortunate events before related. The same spirit seemed to pervade all descriptions of that party, nor were the officers of justice and peace exempted from it. In this state of the public mind, it may be problematical with some, whether the most energetic police could have suppressed the riots which took place, unaided by military force. I have no doubt on the subject, but, at all events, if not admitted, it can be demonstrated, that the police system of Baltimore is radically defective, at least the executive part. It wants the necessary power to preserve peace and good order, in a time of difficulty, and so the present Mayor has often said.

The mode of administering the office of magistrate in ordinary cases, and the manner of appointing constables, are calculated to bring government into contempt and pollute the streams of justice. The magistrate is too often found to be a mean zealous avaricious trader in this divine attribute of law, and the constable, the pander to his views.

The appointment of the Mayor ought to proceed from the executive of the state, and his salary to be fixed and liberal, that he may not be tempted to follow that *ignis fatuus*, popularity, which is too often seen to lead the strongest mind from the path of duty. He ought to be clothed with authority to appoint all constables and watchmen, to increase their numbers in times of danger, and to discharge them at pleasure—And he ought to preside in the court that has jurisdiction of the offences committed within the city—Add to this, the right of commanding military aid. So constituted, the Mayor will be respectable and obeyed, and ought to be responsible for the peace and security of the citizen.

After the above observations, and my answers to the standing Interrogatories, I believe I may safely ascribe the spirit of insubordination which has so long existed in Baltimore to the combined influence of the three causes stated in the Interrogatory.

To the fourth. My uniform and unvarying advice to the Mayor, was to have recourse to, and reliance on the militia. All people, and mobs too, judging from my own experience, who are supposed, or caught in the act of doing wrong, are cowards. The military, acting promptly under the direction of the civil authority, will rarely, if ever, fail of success. The Mayor was doubtful of his own power to call on the military for support, and of course timid or over-cautious in taking his measures. His doubts were cherished by some gentlemen with whom he consulted, and particularly by the attorney-general. I reprobated, at a meeting at the office of the chief justice, as disgraceful, any doctrine that tended to arrest the arm of the magistrate in his efforts to preserve peace at such a crisis; and whether law, or not law, I urged recourse to arms, not to supercede, but to aid, the civil power—In this I was supported by several other gentlemen, and after some hesitation, and with apparent reluctance it was adopted, and an order to the Brigadier was signed.

To the fifth. The attorney-general in my presence declared the law could not be executed, but I understood it as limited to arrests at the time of the declaration, as not as extending to the period of trial by jury.

SAMUEL STERETT.

I have no recollection of having been present at any conversation between General Stricker and Colonel Sterett, respecting ball-cartridge, when Major Barney was present or otherwise. The morning after the massacre at the gaol, and after the requisition of certain magistrates to the General to turn out the militia, I went with Colonel Sterett, and others, to the General's house, but he was not there; we then went to his counting-house and did not find him—when I separated from them.

When I met the militia in Gay-street I asked the Colonel for a supply of ball-cartridges, when he informed me that the order of the General was to serve none out, or words to that effect.

SAMUEL STERETT.

DEPOSITION
OF
ISAAC ALDRIDGE.

—

ISAAC ALDRIDGE, being first duly sworn—

To the 15th Inter. Answers, that on the night of the 27th of June last, I met Major Barney on horseback, and in his uniform; he inquired of me where he could find Lieutenant Sellers, I informed him at his house; then requested I would get my horse and uniform, and assemble as many of the troop as possible at the head of Charles and Market streets. The number assembled was from twenty to twenty-five. Major Barney, two or three times, went towards Gen. Stricker's; after remaining on horse at the place aforesaid, nearly half an hour, a gun was fired from the house in Charles-street, which was reported to be the shot which killed Gales. Soon after Major Barney came to the troop, and gave the following orders: "You will not draw your swords unless particularly ordered by me, and when that order is given, I hope you will use them like men," and gave the word forward. When the troop arrived and fronted opposite the house, Major Barney was asked by persons unknown to me, what brought you down here, or words to that effect; Major Barney replied, "to protect persons and property." Vile expressions were made use of by the rabble in the street, against those persons in the house. Major Barney again said, "that he was their personal and political friend, but that he had come there for to keep order, and order he would keep, by God."—Soon appeared a piece of artillery, much bustle was made—Major Barney went to the cannon, and conversed with one Gill, who appeared to be the captain of the said field-piece, what was their conversation I was unable to hear, the mob or rabble were excessive noisy, and I was stationed in the door of the house, some distance from the cannon. By this time, two of the hussars were dispatched for the Mayor. Major Barney was missing for a considerable time, during which time this Gill, who appeared as before stated, would not suffer the cannon to be fired. A short time previous to Gen. Stricker and the Mayor's arrival, much noise was made by one Wilson, editor of the Sun in Baltimore, for the cannon to be fired; the mob replied, we will wait fifteen minutes for the civil authority—He, Wilson, objected, and ordered to fall back and clear the way for the cannon. John Montgomery, Esq. then appeared, and said, "that gun shall not be fired; if you will fire it, fire it at me," and marched up towards the cannon. The noise be-

came more and more violent. Soon appeared Gen. Stricker, the Mayor, Major Barney, and several magistrates, who entered the house. I was then relieved from my station, and ordered to my horse, and heard nothing of what passed in the house. A short time after, Capt. Warfield of the Baltimore United Blues, came up with about 25 men--Gen. Stricker came out of the house, and requested all whom was present attached to the third brigade, to go home and get their muskets, and fall in the ranks, and all those good citizens who would support the civil authority; the ranks were soon doubled. Gen. Stricker again came from the house, and mounted his horse, and said, gentlemen, shall those gentlemen go to the gaol in carriages, some cried aloud no, others cried out, yes, in carts. The persons then in the house came into the hollow square formed for them, and moved forward.--The crowd had become immense. Nothing happened on our march until we arrived opposite a large pile of stones and brick, about two hundred yards distant from the gaol, here sundry stones and pieces of bricks were thrown at those in the hollow square; I saw one piece of brick strike one of those persons, on or near the temple, and think I saw a stone strike Gen. Stricker on the shoulder. There was much confusion for the moment, but soon reached the gaol without any farther accident, and then the troop was dismissed.

In addition to the above statement, I have no hesitation in declaring, that the whole tenor of Major Barney's conduct in keeping peace and order in Charles-street, was to the utmost of his force under him.

I. ALDRIDGE.

Annapolis, 21st December, 1812.

DEPOSITION
OF
JOHN BROWN.

JOHN BROWN, being first duly sworn—

Inter. Were you present on the 27th of July, when the mob attacked a house in Charles-street? If so, did you see Major Barney there? Did you hear him address the mob? and what did he say?

Answer. I was. When Major Barney came up, he said to the mob, you must not disperse—I have come to take possession of the persons in this house. You all know me; I am your friend; and political friend; I did not come here to hurt you. They asked him by what authority he came to disperse them; he pulled a paper out of his pocket, and they all got round him—and what passed among them I don't know; after a while they cheered him; what they were talking about I do not know. The troop was formed around the door when this conversation took place, and Major Barney was in front of the house. I heard no conversation with Major Barney and the mob before he came before the house, as I was a little a-head of the troop, and coming down where the troop were. I did not see the cannon—I believe the cannon was not there then. When I first saw Major Barney at the corner of Market and Charles-street, he staid there for a considerable time, he had but seven or eight troopers, were collecting when they marched down, they might be twenty.

JOHN BROWN.

DEPOSITION
OF
GEORGE H. STEUART.

GEORGE H. STEUART, being first duly sworn—

The Answer of G. H. Steuart.

To the first Inter. He answers, that he does know the Federal Republican office in Gay-street was destroyed on the 20th June last, in the evening.

To the second Inter. That he was an eye-witness to the destruction of that office. That he arrived at the Federal Republican office about ten o'clock at night, intending to leave an advertisement for the next morning's paper—that he saw a large collection of people in the street, and approached near enough to observe that several persons on the top of the house, and several others on the outside, were pulling it down. Witness saw no magistrates or peace-officers endeavouring to suppress the mob. Deponent proposed to some of his friends to procure horses and arms for the purpose of dispersing the rioters. Some exertions were made to collect an adequate force, but the few who attempted it found their design impracticable.

To the third Inter. Deponent answers, that he cannot pretend to state very accurately how many persons were actively engaged in the destruction of the office—but at the time he thought there were at least 40 or 50 men engaged in the riot.

To the fourth Inter. He cannot make any answer, because he is unacquainted with the persons who composed the mob.

To the fifth Inter. He answers, that he never heard of any preconceived plan, until some days after the office was destroyed. He remembers, however, that the affair was talked of and deprecated by many persons for two days previous to that on which the house was demolished.

To the sixth Inter. He can make no answer, because he has no knowledge of any application being made to any of the civil authority.

To the seventh Inter. He answers, that the loss sustained by Messrs. Wagner and Hanson, has always been estimated at 3000 dollars. The house and lot were the property of Robert Oliver and Hugh Thompson.

To the eighth Inter. He answers, that he saw Jacob Wagner at the house of James P. Heath, at the time the mob were destroying the office—Wagner, and those about him, considered his

life in danger. Deponent only heard that the rioters paid a visit to Wagner's house.

To the ninth Inter. Deponent answers, that about the time the Federal Republican office was destroyed, he remembers to have been on Fell's Point, when some vessels were dismantled. He met several persons returning from that part of Fell's Point where the vessels laid; heard the shouts of the mob, and the falling of the spars and rigging, at a great distance, and until one or two o'clock in the morning.

To the tenth Inter. Deponent can make no answer.

To the eleventh Inter. Deponent answers, that he never saw any private property destroyed by a riotous assemblage of the people in Baltimore, except the Federal Republican office in Gay-street, and the house in Charles-street afterwards occupied by Mr. Hanson.

To the twelfth Inter. Deponent cannot say any thing of his own knowledge.

To the thirteenth Inter. Deponent can particularly state, that a few days after the demolition of the Federal Republican office, there was an alarm early in the evening, of a riotous insurrection in Old Town; that he went in company with Mr. John Hoffman, to inform the Mayor of the danger which threatened the tranquillity of the town. That upon his arrival at the Mayor's house, he was informed that Mr. Johnson had gone to Mr. Hutchin's who kept a tavern not far distant from his own residence. That he proceeded with Mr. Hoffman to said Hutchin's, and found the house surrounded by several hundred people, a large proportion of which seemed to be in search of Hutchins, at the same time threatening to "tar and feather" him. The Mayor, after examining the house, assured the mob that Hutchins had abandoned it, and requested them to disperse—Small parties separated from the mob occasionally, but the tumult continued for some time after witness came upon the ground. Deponent then went to the court-house, where a large collection of people, calling themselves the friends of order, had assembled, at the recommendation of Judge Scott, and in consequence of an agreement which several gentlemen had made to repair to that spot in case of any popular commotion. Deponent there saw the Mayor, who declared that he left every thing quiet at Hutchin's. Deponent followed the Mayor to Judge Scott's office, and heard him censure the Judge for permitting a small body of cavalry (which he met in the street) to advance towards the scene of riot and commotion. The Mayor remarked with evident perturbation, that "if Mr. Samuel Hollingsworth, and his small detachment of troopers, had crossed the falls, not a man among them would have returned alive." Judge Scott appeared to dissent from this opinion.

To the fourteenth Inter. To this Interrogatory deponent for answer saith, that he does not recollect seeing any of the civil authorities at any of the times or places alluded to in this Interrogatory, except upon the occasion of his seeing the Mayor on the night of the attack upon Hutchin's house.

To the fifteenth Inter. To this Interrogatory deponent answers, that he arrived in Charles-street about nine o'clock the evening Mr. Hanson's house was attacked. Soon afterwards, a violent assault was made upon the house by a mob, who were said to have been pelting the house with stones for a considerable time. The assault was so violent that deponent was certain the gentlemen in the house would soon fire. In a few minutes a volley of musketry was discharged from the second story windows; a wounded man was carried off immediately afterwards. Deponent saw Judge Scott at General Stricker's door, and after learning from him that General Stricker had declined acting for want of authority, deponent entered General Stricker's house, and in the presence of several persons demanded of General Stricker why the militia were not called out? The General shewed a reluctance to act, said he had no authority to call out the military, but would do so if deponent, or any other person, could procure an order from the civil authority. Deponent went in quest of magistrates—Four or five came to General Stricker's, but *absent* whilst a gentleman was preparing the order—Samuel Young, Ferdinand Gordon and Thomas Griffith. At length the order was signed by John Dougherty and John F. Harris. Deponent was then despatched for Captains Horton and Stephenson, who arrived at Stricker's soon after Major Barney. Orders, (which have since been published) were then placed in Major Barney's hands—The troop began to assemble at the corner of Market and Charles-streets about eleven o'clock. At three o'clock in the morning, when the troop was ordered to march, inquiries were made for David Fulton, the magistrate, who had promised to attend Major Barney. He was soon discovered, but denied, that he had promised to attend the military, and refused to join them. Deponent was present when David Fulton's name was inserted in the orders to Major Barney as the attending magistrate, and thinks he heard him agree to serve. Deponent saw very little that passed in front of Mr. Hanson's house when the cavalry drew up—At that time deponent set out, in search of Samuel Hoffman, whom he found at the watch-house shockingly disfigured. Judge Scott gave an order for Mr. Hoffman's release, and deponent assisted in removing him about day-light. Saw nothing afterwards connected with this Interrogatory, except when he was sent by General Stricker to expedite the meeting of Captain Warfield's company.

To the sixteenth Inter. Deponent did not expect that an attack would be made on the house in Charles-street so soon as it real-

It happened.—Deponent was, however, apprized of Mr. Hanson's house being put in a state of defence, and considered the precaution indispensable. Deponent was on his way to the house at nine o'clock, with a view of aiding in the defence of the house should it be attacked, when (upon coming into the street) he first discovered that a mob was attacking the house.

To the nineteenth Inter. Deponent has already answered in his answer to the fifteenth Interrogatory.

To the eighteenth Inter. As far as he knows, the orders to the military were obeyed.

To the nineteenth Inter. Deponent cannot say that he knows the attack on the house in Charles-street was "the result of a digested plan," nor does he know who planned it.

To the twentieth Inter. Does not know that the plan embraced the proscription or injury of any other persons not connected with the Federal Republican office. But deponent *does know*, that some persons were proscribed, and that the persons and property of several individuals were menaced about this time.

To the twenty-first Inter. Deponent saw a mob around the gaol several times during the twenty-eighth day of July last.

To the twenty-second Inter. About four o'clock that evening, deponent joined a small squadron of cavalry, amounting perhaps to ten or twelve troopers, and assembled by command of Major Barney. At six o'clock Colonel Sterett's regiment of infantry, then in sight, and consisting of about thirty men, were dismissed by order of General Stricker. Seeing the infantry dismissed, it was proposed that the small body of cavalry should march in quest of their commander (Major Barney.) Colonel Biays and Major Barney met the troop, and the Major dismissed them also, at the same time declaring, that General Stricker, or the Mayor, had assured him there was no danger of an assault on the gaol. The men separated reluctantly, and considered their dismissal a signal for the destruction of the prisoners in gaol. Deponent was on horseback at the time of the massacre at the gaol, and whilst the alarm bells were ringing, but did not see any military or civil officers in any part of the town through which he rode. A number of people were collected at the court-house, but remained there inactive.

To the twenty-third Inter. Deponent was not in Baltimore when the post office was attacked.

To the twenty-fourth Inter. Deponent has already stated, as particularly as his memory would permit, all the facts connected with the late riots in Baltimore of which he has any knowledge. It only remains for him to declare, that upon his return to Baltimore, four weeks after the attack upon the gaol, he found nothing like a restoration of order or good government in that city. Deponent was called out with the company of horse to which he belonged to defend the gaol. The gaol was guarded

for several days and nights, when persons accused of the murder of General Lingan were confined there.

Interrogatory put by the Committee to Mr. Stewart.

At what time in the evening did you arrive at General Stricker's house? Was the door open or closed on your arrival? State the distance of General Stricker's house from the office or house in Charles-street, and the situation of the mob at that time.

Answer. Arrived at Stricker's a little before ten o'clock; the door was closed, but soon opened, and deponent and his father entered, and found General Stricker sitting with his family. Stricker's house is about two hundred yards distant from Mr. Hanson's house, on the same side of the street. When deponent entered Stricker's house, a party of the mob, headed by Doctor Gale, were at Mallet's assembly room, immediately opposite to Stricker's, looking after Rufus Bigelow who was wounded and supposed to be there.

Interrogatories put by Mr. Donaldson to Mr. Stewart.

1st. When the orders were given by General Stricker to Major Barney and Captains Stephenson and Horton, and afterwards to Captain Warfield, were they not promptly and with zeal obeyed by those officers?

Answer to 1st. As far as this deponent had an opportunity of judging, the orders were promptly obeyed by the officers called out on the requisition of the civil authority.

2nd. Did you or not see Major Barney prevent the mob from firing the cannon? State all his conduct on that occasion.

Answer to 2nd. Major Barney was conversing with deponent on Stricker's steps at six o'clock on Tuesday morning, and was telling deponent that the rioters had promised to be quiet until he returned. Major Barney told deponent he had great difficulties in keeping the mob quiet. Deponent thought Major Barney was wrong in the mode he had adopted of persuading the rioters to desist from their violence on the house. Whilst deponent was talking to Major Barney, a voice was heard, and some confusion observed, in front of Mr. Hanson's house. Deponent said to Major Barney, they are going to fire the cannon. Major Barney immediately set off for the spot where the cannon was placed. Deponent followed him, and saw Major Barney oppose the firing of the cannon, and prevent it.

3d. When Mr. Johnson expressed his opinion to Judge Scott as to the danger of Mr. Hollingsworth if he had crossed the Falls with his party, did not he seem anxious for the safety of Mr. Hollingsworth, and was not his opinion more as to the danger of the attempt, than its impropriety?

Answer to 3rd. Deponent thinks Mr. Johnson observed to Judge Scott, "How could you send those men on horseback—"

It was imprudent and improper.—If they had crossed the Falls, not a man would have returned alive.” Mr. Johnson appeared to be much alarmed.

4th. Do you know where Mr. Gourdon, the magistrate, went when he left General Stricker’s? State your knowledge thereof.

Answer to fourth. I never saw Mr. Gourdon afterwards, until six o’clock next morning at General Stricker’s. Understood that Gourdon was one of the persons who entered Mr. Hanson’s house with Judge Scott, about the time he left Stricker’s, when the order was preparing. It was with great difficulty that two magistrates could be procured to sign the order calling out the military.

DEPOSITION
OF
JOHN DIFFENDERFFER.

JOHN DIFFENDERFFER, being first duly sworn—

Interrogatories to John Diffenderffer.

1st. Were you or not present at Gadsby's tavern soon after the demolition of the Federal Republican office, and when, at a consultation held among a number of gentlemen of the city of Baltimore, and whom, with respect to the forming an armed association? State the objects proposed at that meeting for such association, and whether an agreement was entered into, and by whom, to form such association.

2d. Was there any reference in such association to the civil authority, or was it intended to act for the suppression of any mob or unlawful assemblage of the people by violence?

3d. Did you in consequence of a knowledge of the intentions of any member or members of this association deem it your duty, and, standing there was a crowd assembled before the house of one Hutchin's in Old-Town, to go over and inform the Mayor of such intention? State particularly what induced you to do so, whether you did not find the Mayor at Hutchin's house; what you communicated to him; what passed upon that occasion, and what conduct the Mayor pursued in consequence of that information.

4th. What do you suppose was the number of the mob on that occasion? Did they overhear what passed between you and the Mayor? And what was their cry in consequence of having overheard you?

5th. Did or did not the Mayor of the city appear to you then sincerely solicitous to suppress the riots and to restore the city to a state of tranquillity?

Answer. I was at Gadsby's tavern, (the date I cannot recollect) agreeable to advertisement of the late first Baltimore troop to meet, being a member; towards evening there were a considerable number of respectable gentlemen collected, and could not conceive that all wished to join the troop. Seeing Mr. Samuel Hollingsworth, coming I accosted him at the door, endeavouring to prevail on him to take command of the troop again, till we were perfectly organized again; he refused, and entered into the room, and sometime afterwards was called to the chair. Once of the gentlemen stating the object of the meeting, (as I am

derstood some had been in the morning at the Mayor's office) and they agreed to form themselves in companies to patrol the city, and all to be well armed, to suppress the riots and mobs of the city, and consequently all those that wished to join subscribed their names—Mr. Samuel Hollingsworth was appointed Captain for that evening; they were to meet at the old Court-house. Messrs. Francis I. Mitchell, Jeremiah Sullivan, and myself, were conversing on the impropriety and the danger that might arise of arming—in fact, there were a great many that disapproved of it there. On my going home and coming opposite the Court-House, the Watch-Bell rang. I saw them collecting with arms, some gentlemen with muskets, and others on horseback; and when I got near or about Gay-street, I was informed by some stranger that there was a mob collected at the Circus, to get a Mr. Hutchin's for certain expressions he had said; immediately afterwards I met Mr. Josiah Bayly; we went over—I felt very unhappy, knowing that a number of gentlemen had collected, and armed themselves, and if they came together, some of our best citizens would lose their lives, which I mentioned to several—and on arrival opposite Hutchin's, there appeared to be a collection from 1000 to 1500 men, and I heard Mr. Edward Johnson pledging every thing that was sacred that Hutchins was not in the house, only his sick wife and children, and requested and begged for the crowd to disperse, and go home. They dwelt some time, but afterwards gave three cheers, and they appeared to disperse. Immediately afterwards I saw Mr. Edward Johnson, and informed him of the armed association; he replied, my God, is it possible! and requested that I would go with him to the Court-house; on our way, in Water-street, we met three horsemen armed, going over—Mr. Johnson addressed them, said, gentlemen, where are you going? To aid and assist you, Capt. Hollingsworth replied. I have already dispersed them—I am very happy—and they filed off and returned. When we got up to the Court-house, the armed gentlemen were all discharged—we then went into Judge Scott's house; Mr. Edward Johnson and he agreed to call a town meeting, and on our return called at Pechin's office, and Mr. Johnson requested an advertisement to that effect, and I went home.

I was in Gay-street, in company with Mr. Josiah Bayly; at the destroying of the house where the office of the Federal Republican was, but knew no persons that were concerned.

JOHN DIFFENDERFFER.

Interrogatory by Mr. Bayly

At the demolition of the Federal Republican office, did any officer, civil or military, endeavour to disperse the mob? If any, name them. What number appeared to be employed in pulling down the house, and were they generally men or boys?

Answer. I saw Judge Scott there, and appeared to do all that lay in his power to stop them in pulling down the office. There did not appear to be more than from ten to fifteen employed in demolishing said office, when I first came there, but afterwards upwards of fifty engaged. I saw no boys on the house the time I came there; it was about 9 o'clock, and remained there till nearly 12 o'clock.

Interrogatories by Mr. Dorsey.

Do you know the names of any who met at Gadsby's? Was it not the day after the destruction of the Federal Republican office in Gay-street?

Was not this association for the avowed object of aiding and assisting the civil authority, under an impression that it was either unwilling or unequal to the task of preserving the peace of the city?

Have you heard, or do you know, that there was any association to destroy the Federal Republican office, or to injure their persons, or the persons or property of any other citizens?

Answer to Mr. Dorsey's Interrogatories.

I have no knowledge of any association to destroy the Federal Republican office.

I cannot answer the other question in any other manner but as already stated, as I recollect nothing further.

JOHN DIFFENDERFFER.

DEPOSITION
OF
ANDREW BOYD.

ANDREW BOYD, being first duly sworn—

First Inter. I do know of the destruction of the house mentioned in this Interrogatory.

Second Inter. I went there in company with Doctor Owen, about the hour of ten o'clock at night, and remained there, and in the neighbourhood, until morning. I do not recollect to have seen of the Judges, Magistrates, or Constables, interfere to prevent the destruction of the property, or arrest the rioters. Doct. Owen and myself, did take some pains to find out what were the intention of the persons after they had destroyed the house; the only information that we could obtain was, that the office of discount and deposit was to be next attacked, for the purpose of getting Mr. Wagner, who they supposed was secreted in the house.

This information was got from a person not apparently concerned with the rioters. A short time after getting this information, Doctor Owen and myself went with the person who gave us it, to Mr. James Sterett, and related the circumstances to him. After remaining in the house with Mr. Sterett for a short time, Doctor Owen and myself went out amongst the crowd, to try and find if this man's information was correct or not. After mixing among the crowd of people for some considerable time, I began to think our informant was mistaken, and I was in the act of returning to tell Mr. Sterett so, when to my astonishment, before I got half way to the office of discount and deposit, a great proportion of the people pressed forward to the office, and demanded Mr. Wagner. I got on the steps before the door and spoke to them, assuring them, that Doctor Owen and myself had been in the house, and that Mr. Wagner was not there, in a short time they were satisfied, and went away.

I do not know any of the rioters or persons concerned in destroying the house, neither have I any knowledge of orders being given to the military.

Third Inter. There were thirty or forty persons engaged in destroying the house and property, and some hundreds looking on; how many I cannot say. They left the house after twelve o'clock at night.

Fourth Inter. I believe the rioters were composed of both natives and foreigners, but of what proportion I cannot say.

5th, 6th and 7th. Of the questions in those three Interrogatories I have no knowledge.

Eighth Inter. Jacob Wagner was pursued, and; I firmly believe, with an intention to injure him. Alexander C. Hanson, I believe, was not in Baltimore. Who the persons were that pursued Mr. Wagner I know not.

9th, 10th, 11th, 12th, 13th and 14th. Of those six Interrogatories I have no knowledge.

15th and 21st. I went to the house in Charles-street about ten o'clock at night of the twenty-seventh July last, before which house, and in the street, I found a large collection of people, men and boys, a number of whom were employed in breaking the windows with brick-bats and stones. Not long after getting there, a man by the name of Gales was shot by some person or persons in the house, he was picked up and pronounced dead. I immediately called to the people to come away, and not expose themselves to be shot, a number of them came from before the house, near the next house below. I there proposed or asked if something could not be done to stop the effusion of blood. In a little time it was agreed that I should go into the house, with certain propositions to Alexander C. Hanson—The propositions were such that Mr. Hanson would not agree to—They were, that the persons in the house should give themselves up. As I was leaving Mr. Hanson, he called me back and said, I might tell the people if they would desist from attacking the house, and not molest the persons in it, that the Federal Republican could not be printed or issued in Baltimore again, which of the expressions I do not recollect. I went out to the people and informed them all that passed between Mr. Hanson and myself—they would not hear to his proposal, but said they would have blood for blood. I then told them, that I must go in and inform Mr. Hanson of it; to this there was a considerable opposition by a man at the door of the house, but he left me, and I went in a second time, and informed Mr. Hanson their determination. I then left Mr. Hanson, and went out of the house. One of the gentlemen in the house, Mr. Samuel Hoffman, followed me out. Immediately after getting out Mr. Hoffman was knocked down—I told the persons that he wished to go home, and to desist. They immediately knocked me down. On my getting up, I asked for Mr. Hoffman, and was informed that he was dreadfully beaten and carried off. At this time a cannon was brought for the purpose of firing at the house—Some were anxious to fire the cannon, and others wishing to prevent it, and succeeded. Those who brought the cannon I know not. Those who were amongst the most active in preventing the cannon from being fired, was Major William Barney and Mr. John Montgomery. Major Barney drew up the men that were under his command before the house, and put a guard on the house:

the guard lasted until the gentlemen came out of the house, when a hollow square was formed by some infantry, and the cavalry commanded by Major Barney; the number I know not. The gentlemen who came out of the house went into the hollow square, and marched to gaol; the Mayor, and other citizens, walking with them. On going to the gaol, a number of persons followed, frequently making use of abusive language to those in the square, supposed to belong to the party in the house, and on the road flung a stone or brick-bat, which struck one of the gentlemen belonging to the house in the face. When we got to gaol, Mr. Edward Johnson, the Mayor of Baltimore, and myself, went into the room of the prison with them, and remained there for a little time, and left them. I was afterwards in the prison room in which the gentlemen were confined. Some I believe were concerned about their safety before I left the gaol to go home, which was in the afternoon of the 28th July last. I went into the gaol yard where Mr. Edward Johnson, and several other persons were; I told Mr. Johnson the anxiety of the prisoners; he put himself in a situation to shew them he was present, and very earnestly requested me, and others, to stay with him. I declined, and went home.

16th, 17th, 18th, 19th, 20th and 22d. Of those six Interrogatories I know nothing.

Twenty-third Inter. I was near the post-office, after night, near the corner of St. Paul's Lane and Market-street, where there were a number of persons assembled. Mr. Johnson and General Stricker at the head of a number of horsemen came up. Mr. Johnson accused them of their intention to break upon the post-office, which they denied; he told them he had good information, and ordered them to disperse immediately, or the horse would charge on them. The mob hesitated—the horse charged them, and they dispersed. There was a guard kept at the different avenues leading to the office all night, to prevent any person from passing or repassing.

ANDREW BOYD.

On going to the gaol I believe the rogue's march was played.

ANDREW BOYD.

December 18, 1812.

DEPOSITION
OF
ALEXANDER BRISCOE.

ALEXANDER BRISCOE, being first duly sworn—

Interrogatories put by the committee to Mr. Briscoe.

First. Do you know, or have you heard, that there was any preconcerted plan for the destruction of the Federal Republican office, or any other property, or for the proscription of any of the citizens of Baltimore? If you do, when and where was it made, and by whom?

Answer to first Inter. I heard George Wooleslager say some time before (say eight or ten days) the office in Gay-street was pulled down, that there was a committee appointed who were trying to obtain subscribers to pull down the office, and that there were one hundred and odd already subscribed.

Second. Have you heard any of the civil or military officers of the state exciting or approving of the conduct of the mob? If you do state them fully.

Answer to second. I saw Doctor Smull in conversation with Judge Scott at the gaol steps between three and four o'clock on the day of the massacre, and he told the Judge that nothing would satisfy them except blood for blood, or, it ought to be blood for blood, I don't know which, but it was one or the other as well as I can recollect. General Stricker, Major Calhoun, and Edward Johnson, were present. The Doctor appeared to be very much opposed against the prisoners. I attended the Mayor in gaol, and heard him tell the gentlemen that preparations were making for defence. Judge Scott made use of no exertion to arrest Doctor Smull. I believe many of the rioters could not read.

ALEXANDER BRISCOE.

DEPOSITION
OF
ELIJAH WARFIELD.

ELIJAH Warfield, being first duly sworn—

To the first Interrogatory—I knew nothing of the house in Gay-street until the morning of the 21st of June, I was then informed of the circumstance; and some time in the day went to Gay-street, where I found the front building (which was of wood) pulled quite down, and the back building (which was of brick) partly pulled down.

To the seventh Inter. The house was probably worth twelve hundred dollars (exclusive of the works and type) which is said to be destroyed.

To the fifteenth Inter. I went into Charles-street on the 27th July, about ten o'clock at night, after hearing a mob had gathered there, and had assaulted a house which was occupied by Mr. Hanson. I saw the mob throwing stones, and breaking the door and windows, until the door and every sash appeared broken down. The night was calm, and the glass falling repeatedly on the pavement, had a dreadful appearance. I was much astonished at the forbearance of the persons who were said to be in the house. While I remained in the street, I saw two guns fired by the mob at the house, and three guns fired from the house, without any effect to intimidate the mob: they remained in front of the house, where they kept a drum beating, and frequently called on the persons in the house to fire. About 12 o'clock I heard a gun fired in the house, which was said to have shot Dr. Gale; immediately after which the drum ceased beating, and the mob dispersed from the front of the house, and every thing was quiet for about twenty minutes, when some of the persons in the house attempted to run out, was pursued, and caught by the mob, and much beaten with clubs. I called on Gen. Stricker at his door several times, to inform him of every important occurrence, and at one time inquired of him if the military would be ordered out—he said Major Barney would have orders for the cavalry, and about one o'clock the cavalry advanced towards the house, and the mob dispersed, except a few, who Major Barney ordered to disperse, and said he was their political friend, but he had orders to disperse them, and that he would execute his orders. Major Barney then formed the cavalry in front of the house occupied by Mr. Hanson; after which I remained in Charles-street about thirty minutes,

during which time the cavalry remained stationary in front of the house, and I saw no other means used to disperse the mob but words. David Felton was the only justice of the peace I saw in Charles-street that night, who accompanied Major Barrett about the time the cavalry advanced.

To the twenty-second Inter. On the 28th July, about one o'clock, p. m. I received a written order by the hands of Col. Joseph Sterett to parade the company under my command in South Gay-street, at three o'clock, p. m. to protect the gaol. I then inquired of Col. Sterett if he was furnished with ball-cartridges, he answered no, that the Mayor had recommended that cartridges should not be used on the occasion. In obedience to orders I immediately waited on all my most active officers, and charged them to extend the notice to the east end of the town, while I in person notified those men of the west end; and as soon as practicable I went to South Gay-street, and after waiting until five o'clock, but few of the regiment appeared, and those present were very much discouraged for want of ball-cartridges. I was informed by Col. Sterett that all the fifth regiment were ordered out (except Capt. David Warfield's company) who he had excused in consequence of having performed the unpleasant duty that morning of conducting Mr. Hanson and his friends to prison. About half past five we were ordered to march towards the gaol, and when on our march, between the Play-House and Linn's Bath-House, we were met by General Stricker, and by his direction ordered back to North Gay street, where we remained until about seven o'clock—meanwhile Gen. Stricker rode to the gaol and returned, and then said the Mayor had recommended that the militia should not march to the gaol; that the mob was then quiet there, and assigned for a reason if the militia did march to the gaol, that, in his opinion, it would be an inducement to increase the fury of the mob; the militia were then dismissed. Capt. Shrim, Capt. Conn, Capt. Keller, the officers of their companies, and each of their entire companies, were absent from the regiment on this occasion. I have seen a certificate from Capt. Keller, published in the newspapers, wherein he states he refused to parade or order his company out on the 28th of July to protect the gaol, &c. and by the said certificate, Ensign Maccubbin appeared officious to prevent or to discourage that company from turning out on the 28th of July.

To the twenty-third Inter. I saw the mob the first night they assembled near the post-office; they appeared much intimidated by the militia and cavalry, which was not only very formidable, but furnished with ball-cartridges. So soon as the mob began to be riotous, Col. Blays ordered the cavalry to charge, and the mob dispersed immediately. I was ordered on duty the second night the mob assembled near the post-office, when they were

but few, and those appeared so much intimidated at the formidable appearance of the military, that they soon retired without any disorder.

ELIJAH WARFIELD,
Capt. 5th Regt. M. M. Baltimore.

Answer to the twenty-fourth Interrogatory.

About ten o'clock on the morning of 28th of July, I went into the house in Charles-street, and saw the mob destroying the furniture in the house; at which time I saw no interposition of the civil or military authorities.

I have no information of any court martial having been held for the trial of any refractory officers for their disobedience of orders on the 28th July.

To the twenty-sixth Inter. About 8 o'clock of the evening of 28th July, I saw the sheriff ride up to the door of Judge Scott's house, and informed him that the mob had got into the front door of the gaol; and without immediate assistance there would be murder. Judge Scott then summoned those who were present as a *posse comitatus*, to assist the sheriff, and ordered the sheriff to see Gen. Stricker. The sheriff went to see General Stricker, and I followed him, and met the sheriff in Charles-street on his return, who said Gen. Stricker was not at home. I then, in company with Robert Miller, went to the gaol, and were informed that Hanson and his friends were all dead and thrown in a heap. I saw a large crowd around one person (apparently dead) laying at the bottom of the steps of the gaol.—After being at the gaol about five minutes, I heard two men (apparently foreigners) say, they intended to kill all Federalists, and then one of them addressed himself to Mr. Miller and myself and said, "I believe here are some tories; Mr. Miller and myself then got out of the crowd and went home.

ELIJAH WARFIELD,
Capt. 5th Regt. M. M.

DEPOSITION
OF
GEORGE HOWARD.

GEORGE HOWARD, being first duly sworn—

George Howard, of the City of Baltimore, deposeth and saith.

From the first to the fourteenth Interrogatory, inclusive, nothing.

To the fifteenth Interrogatory, saith, That on the 27th of July last, about eight o'clock in the evening, he, in company with Messrs. Dennis F. Magruder and Richard B. Magruder, went to the dwelling house of General John Stricker in south Charles-street, and took seats on the steps at the General's door; (the express words used in the first following conversation deponent does not recollect, but will give it in substance.) A few minutes after our arrival there, a man, whose name I afterwards learnt was White, came running up, apparently much agitated; on coming up two or three steps, (General Stricker at this time was at the door) he asked the General if nothing could be done to prevent the destruction of the house; the General replied, that he could do nothing, or had nothing to do with it; in thus replying I well recollect that I thought the tone in which the General replied was more abrupt than it ought to have been, but upon reflection I could not but believe that it was such an answer as most men would have given, similarly situated, as it appeared to me that Mr. White, from the manner of his application, seemed to think he had a right to call on Stricker, and that Stricker was authorized to act without orders from the civil authority, added to Stricker's not knowing who White was at the time—something further passed, which I do not recollect, but White mentioned something about his mother—Stricker then asked him, or said, he supposed he was a son of Mrs. White; the other replied in the affirmative—Stricker then said, his mother ought not to let the house to such people; White said it had been let to Wagner, and his time was not out. Stricker then told him, in a mild manner, that he could do nothing in it, and advised him to apply to the civil authority. White said his mother that afternoon applied to the Mayor, and he would do nothing. He then left the steps on which he was standing, and went up street, as I supposed, to apply to the civil authority. During the above conversation, as well as I recollect, I frequently heard a noise as if windows and doors were breaking by throwing stones, at the house No. 45, Charles-street. Soon

after there were several guns fired from the house, which I afterwards learnt were fired over the heads of the mob, and contained blank cartridges. General Stricker was soon after repeatedly and loudly called upon by different persons to order out the militia; he replied that he could not, he had no power; but appeared extremely anxious to possess power to do so. About this time, or shortly after, Mr. Young, a justice of the peace, appeared at the bottom of the steps at General Stricker's door, (whether or not Stricker saw him I cannot say) he was requested by some one, as well as I recollect, not to go away, that another justice had been or would be sent for. Soon after Mr. Thomas W. Griffith, another justice appeared. Mr. Young was inquired for, but could not be found—Mr. Griffith also immediately after was not to be found. Between the time I first went to Stricker's, and twelve o'clock at night, I frequently went from Stricker's house to where the mob was collected, and returned; generally on my return I saw Stricker, and at no time whatever did I see him after the first guns were fired but that he manifested the strongest inclination, both by his manners and words, to quell the mob, and save bloodshed. Deponent well recollects Stricker's having about ten or half past ten o'clock inquired for, and sent off for Major Barney, at which time deponent understood, that only one of the justices of the peace had signed the requisition for calling out the militia, although deponent had seen, at different times, at the General's door, previous to that, four justices, namely, Samuel Young, Thomas W. Griffith, David Fulton, and Ferdinand Gourdon, and the Judge of the Court of Oyer and Terminer, the last of whom deponent considered very active in endeavouring to disperse the mob. After deponent understood Mr. Dougherty had signed the requisition, he saw a number of gentlemen of the law in Stricker's house examining the law, and there appeared much difficulty in getting a second magistrate to sign it. General Stricker, in consequence of the repeated calls of gentlemen to call out the militia, added to what really appeared to be his own wishes, I thought was about to take some step to disperse the mob, when his son-in-law R. B. Magruder, who came out of the door of the house with him, requested and pressed him not to do so; that the law did not authorise it—the General and Mr. Magruder soon returned into the house, what it was the General was about to do, I do not recollect. In justice to Mr. Magruder I must here state, that I am decidedly of opinion, from my knowledge of him, added to his conduct that night, that he was extremely anxious the mob should be dispersed, and that he had no other motive in advising the General as he did, but a compliance with the law. Soon after, Major Barney rode up, dismounted, and went into the house; in a few minutes he came out and rode off; at this time only one magistrate had signed the requisition, and, as well

as I recollect, the order from Stricker to Barney was ready, I think I saw it in the hands of Mr. Magruder.—Between this time, say about eleven o'clock, and about twelve o'clock, Barney returned several times to Stricker's house; at one of which times, while Barney was standing at the door, Mr. Hopkinson, who in attempting to escape from the house No. 45, was caught by the mob, and they were leading him up the street by Stricker's door, as soon as he was opposite the steps he sprung up three or four of them, caught hold of Barney who was standing on the top step, and exclaimed "Colonel Sterett, I claim your protection;" but by the time he was on the steps, a number of persons caught hold and pulled him in the house, the passage door was immediately shut, and I understood he passed directly through. About this time, say between eleven and twelve o'clock, the cavalry began to collect at the corner of Market and Charles-street. At about half past twelve o'clock there appeared to me to be about twenty in number; after waiting some little time, Barney rode down to Stricker's, and returned in a few minutes; immediately on his return he addressed the cavalry, and charged them not to use their swords unless ordered by him, except in self defence; that if they were ordered to use them, he expected they would use them like men—this was about one o'clock—they then, with Barney at their head, moved down to the house No. 45. Deponent followed at some distance behind, and saw the mob run from before the house on the cavalry's approaching it, but they immediately halted on finding they were not charged on, and gathered around Barney and the cavalry; whether or not deponent heard Barney say any thing to them he does not recollect. Supposing the gentlemen in the house safe, deponent soon after retired to bed at Gadsby's, in company with John L. Pott's. About four o'clock the next morning we were called up by Capt. David Warfield, (to whose company we were attached,) with orders to get our guns and parade at Gadsby's corner immediately, for the purpose of guarding the gentlemen who were in the house No. 45, to gaol; in pursuance of which we immediately got our guns and proceeded to the corner. On our arrival there, inquiry was made whether or not we were to load with ball, and we received for answer, from Captain Warfield, that General Stricker had given him no orders on the subject. Some of the company loaded with ball, deponent having none did not load, but marched with an empty musket—while collecting there, General Stricker came up, and informed Captain Warfield that Major Small would command if he had no objection—Warfield immediately acquiesced. Soon after, say about six o'clock, we were marched from Gadsby's, (about twenty-two or three in number) to Pratt-street, where we were joined by some few militia officers, and a few privates, say ten or twelve altogether; we were then formed into a hollow square, and marched in front

of the house No. 45, where it was with difficulty we could keep our places, in consequence of the mob's pressing on us. During our stay before the house, the Mayor, Judge Scott, General Stricker, Major Barney, John Montgomery, and others, went frequently in and out of the house. Stricker, after some time, either said he thought it best, or the gentlemen wished (deponent does not recollect which) to go to gaol in carriages; the mob instantly cried out, no, they ought to have carts. Soon after Stricker called upon and requested all good citizens to turn out and assist in the guard to the gaol; immediately a number of persons, which I supposed to be a part of the mob from their appearance, went, procured guns, returned, and marched on the right and left of the square so as to make the files double. Soon after the gentlemen came out of the house into the square. Mr. Hanson took hold of General Stricker's arm and walked with him; John Montgomery, Lemuel Taylor, Major Barney, the Mayor, and a number of other persons, walked in the square also. I recollect Major Barney with much difficulty prevailing on a man by the name of Gill to march in the square.—On our march, when we arrived at the far end of Old Town, near the gaol, we met a number of persons, which I supposed to be a part of the mob, with a drum and fife playing. About this time we were passing a heap of stones, a number of which were thrown at those who were in the square; one of which struck Mr. H. Bigelow, who was walking by deponent's side, and knocked him on his knees; he was instantly caught up by some persons, and with them walked afterwards; about the same time there was a considerable bustle to the right of the square; on looking around deponent saw several men have hold of a man who was very genteelly dressed, and who he supposed had said something which offended the mob. On arriving at the gaol there were a number of stones thrown as the gentlemen went up the steps; at that time Hanson had hold of Stricker's arm, and Stricker received a severe blow from one of them.

From sixteenth to twenty-fifth Interrogatory, inclusive, deponent knows nothing of his own knowledge.

To twenty-sixth Interrogatory, deponent saith, That about ten or eleven o'clock in the morning of the 28th of July last, he was informed, but by whom he does not recollect, that the friends of some of the gentlemen that were in gaol were at Judge Scott's, for the purpose of bailing them out; deponent instantly repaired to said house for the purpose of bailing the three Mr. Gaithers, and Mr. Crabb. On deponent's arrival there, he found a number of gentlemen, amongst whom were Messrs. George Hoffman, George F. Warfield, James P. Heath, and Ely Dorsey, jun. that deponent, after remaining there some little time, left the house, and returned again in a few minutes; on his return he was informed by some of the gentlemen, but by whom

DEPOSITION
OF
JAMES GITTINGS, jun.

JAMES GITTINGS, jun. being first duly sworn—

Answer to first Inter. I was present at the destruction of the office of the Federal Republican on the twentieth June last, in Gay-street in the City of Baltimore.

Answer to second Inter. I did not see any of the Magistrates, Constables, or Judges present, nor were there any exertions made, to the best of my knowledge, by any one, while I was present, to prevent the destruction of the property, or to arrest the rioters.

I do not know any thing relative to the 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, and 14th, Interrogatories.

Answer to fifteenth Inter. I was in Charles-street on the night of the 27th of July last, between the hours of eight and nine; there were at that time a number of men and boys collected together before the house, throwing stones at the front windows; several gentlemen that were near me observed they were astonished at the forbearance of the gentlemen in the house. Doct. Gale appeared to be the most active man among the mob. I had been there but a short time, before a gentleman came out of the house, who the mob took for Mr. Jacob Wagner; they cried out there is Wagner, kill the damn'd tory! The man who the mob took for Mr. Wagner, was Mr. R. Bigelow, he was knocked down, and most dreadfully beat. I saw Dr. Gale strike him several times with a stick, crying out, kill the damn'd rascal. Mr. Bigelow was afterwards carried to Mr. Mallet's dancing room; a great number of the mob followed there. Doctor Gale addressed the mob; he told them that the men in the house were tories, and ought to be destroyed—he said, follow me, my friends, I will lead you on, and we will kill every damn'd rascal in the house, or words to that effect—He then returned to the house at the head of the mob—they attacked it with greater violence than before. I soon after this left the house, and did not return until between two and three o'clock the next morning, at which time I was under the command of Major Barney; when the cavalry came nearly in front of the house, the Major halted and addressed the mob; he told them he was their friend, their personal and political friend; that he was there to protect person and property, and to secure those in the house, and that those in the street must disperse. The cavalry was then ordered to

move on by one of the other officers, and formed in front of the house, leaving the Major in conversation with the mob. While I was in front of the house, I heard some conversation that passed between Capt. George P. Stephenson, commander of the Fell's Point troop, and a Mr. Wilson, editor of the Sun. Mr. Wilson asked Captain Stephenson where he intended marching the murderers to? he replied, he would march them to hell if he wished it. After considerable negotiation between the mob and Major Barney, they agreed to be still until morning, provided Major Barney would promise not to let any one escape out of the house, to which Major Barney pledged himself to perform. He then dismounted about half of the troop, marched them in the house, and placed them at the doors and windows. I was one of the number. It was with difficulty I could prevent their getting in at the window I was stationed at.

Answer to twenty-third Inter. I was out as a trooper the night the mob assembled near the post-office with a view to destroy it; a number of men were collected together at the corner of Market-street and Light Lane; they were very noisy, and swore they would have the Federal Republican out of the office. Col. Biays ordered them several times to disperse, to which order they paid no attention. Col. Biays gave the word, draw swords! when two of the Hussars charged on the mob and dispersed them. John Montgomery was among the number.

I know nothing more relative to the said mobs or riots in the City of Baltimore.

JAMES GITTINGS, jun.

Interrogatories put by Mr. Donaldson, one of the Committee, to Mr. Gittings.

First. Were you present at a conversation in the house between Major Barney and any person or persons in the house? state the same particularly.

Answer. I was not.

Second. Do you know whether Major Barney was requested to put a guard in the house by any person therein?

Answer. I do not know. General Lee requested me, while I was stationed at the window, to call Major Barney to him, which I accordingly did.

Third. Did you see Major Barney prevent the firing the cannon by the mob?

Answer. I did see Major Barney get on the cannon for the purpose of preventing them from firing.—The orders from Major Barney, before we proceeded to the house, were not to draw our swords unless ordered by him, or attacked, if we were to defend ourselves.

JAMES GITTINGS, jun.

DEPOSITION
OF
JAMES A. BUCHANAN.

JAMES A. BUCHANAN, being first duly sworn—

Answers of James A. Buchanan, to the printed Interrogatories

- 1st. Was not in the city at the time of the attack.
- 2d. Same answer.
- 3d. Same answer.
- 4th. Same answer.
- 5th. Has no such knowledge.
- 6th. Does not know.
- 7th. Does not know.
- 8th. Does not know.
- 9th. Has no knowledge but from public report.
- 10th. Does not know.
- 11th. Only from rumour.
- 12th. Does not.
- 13th. Does not.
- 14th. Has not.
- 15th. Was not in the city at the time.
- 16th. Had not.
- 17th. Does not know, except as informed next day.
- 18th. Cannot answer of his own knowledge, but has understood that the orders were not obeyed. Has not heard that any applications have been made to the Brigadier for an investigation into the causes of this disobedience.
- 19th. Has no such knowledge.
- 20th. Same answer.
- 21st. Was at the gaol on the afternoon of the 28th of July, but left it about 7 o'clock, and went to his country seat, whence he did not return until next day.
- 22d. Understood and believes that the fifth regiment of militia, and a body of cavalry were ordered out by Gen. Stricker—They did not repair to the gaol. Were understood to have been dismissed by the Brigadier, because that they were too few in number to resist an attack if made. Cannot, of his own knowledge say, why greater numbers did not turn out as ordered.
- 23d. Was not in the city.
- 24th. The deponent's summer residence is in the country, and as he always left the city before dark, he had no opportunity of witnessing the conduct of any persons at the time of the

riety. He had frequent opportunities throughout the intervening days of observing great anxiety on the part of the Mayor and Brigadier-General, to do every thing which depended on them for the preservation of peace.

25th. Knows of no summons to preserve the peace of the city, except that, subsequently to the 28th July, many were summoned to repair to the gaol for its preservation.

26th. Does not know.

27th. Does not know.

28th. The fifth regiment is the oldest and strongest in Ger. Stricker's brigade, and therefore, from rank and expediency, was the proper regiment for selection.

J. A. BUCHANAN.

Interrogatories to Mr. Buchanan.

1st. Were you not applied to particularly by Mr. Johnson on the afternoon of the 28th July at the gaol, to remain with him for the purpose of aiding him in quieting the people, and preventing the commission of violence? Do you know whether Mr. Johnson did not apply to others, and whom, with the same view?

Answer. Was at the gaol, as stated in the answer to the 21st Interrogatory, and previously to leaving the place had conversation with the Mayor, who expressed his determination to remain for the protection of the gaol, and who was anxious that as many as possible of his friends should remain to assist him; but who, in consideration of deponent's residing in the country, assented to his going home. As deponent went to the prison, he heard from persons unknown to him, threatening language, as related to those who had been committed from the house in Charles-street, and this induced him to enter into general conversation with several persons unknown to him, in the prison yard, from whom he received reiterated assurances, that unless there were an attempt to bail the prisoners there would be none to molest them.

2d *Inter.* Do you trace the general spirit of insubordination to the civil authority, which has so long existed in Baltimore, to any defect in your system of police, or to the depravity of your police officers, or to the impunity which has been granted to the disturbers of the peace? Answer this as fully as your experience and observation will enable you.

Answer. Without admitting, or rather denying, that there exists, or has long existed, a spirit of insubordination to the civil authority in Baltimore, I do believe that the powers of the Mayor of the city are not such as to afford him the means effectually, of checking those infractions of the peace which are common to all populous cities.

3d *Inter.* Do you know the reasons of your civil officers for their indisposition to adopt measures of coercion against the disturbers of the peace of the city?

Answer. Does not know that the civil officers of Baltimore have any indisposition to adopt measures of coercion against the disturbances of the peace; but does believe that the magistracy, generally, believe such measures to be more peculiarly the duty of the Mayor, although, in fact, from the singularity of the charter of Baltimore, this power is not only lodged with the Mayor, but was always, by the first Mayor, refused to be exercised.

4th *Inter.* In the conversations which you have held with Gen. Stricker, did he state to you the reluctance which he felt in ordering out the military, and did he assign any reasons for his disinclinations to do so?

Answer. In all the deponent's conversations with Gen. Stricker, he never heard him express any reluctance in ordering out the military—he was only anxious to discover what was his duty, and faithfully to execute it.

5th *Inter.* In the conversation which you had with the Mayor at the gaol, did you intimate to him, that, from the temper of the mob, who appeared to be excited by an apprehension, that the persons in gaol would be bailed, an assurance by him that no bail should be taken would have a tendency to preserve the peace of the city? If you did, what was the reply of the Mayor? And did he give the populace any pledge of that nature?

Answer. I had, as I have already stated, conversation with a few persons, unknown to me, respecting the persons committed to prison; they professed only to fear that there was an intention to admit them that night to bail—I reported this apprehension to the Mayor, who disavowed any such intention, and who said that he would thus assure any persons requiring it.

State whether you had not a conversation with Gen. Stricker at the gaol on the 28th July, with respect to ordering out the militia. What was the amount of that conversation? Did not Gen. Stricker immediately afterwards proceed to town to meet the militia? What is the usual number of the 5th regiment on parade days?

Answer. Whilst in conversation with Gen. Stricker at the prison, it was suggested to him, I think by Lemuel Taylor, that it would be indiscreet to march thither the militia then assembled in Gay-street, because the doing so would attract a great many people. The advice was, I think, repeated by Mr. Kell, whose horse Gen. Stricker borrowed, rode into the city, and on his return, stated that he had ordered them to remain. Their number was, I think, stated to be about thirty-five infantry, of a regiment which, when under my command, has frequently, on pa-

rule days, turned out from 600 to 800 men in uniform and completely equipped.

In reply to the inquiry, whether those who were of my acquaintance in the prison yard apprehended danger to the prison—I observe, that there was a diversity of opinion, some believing, and others denying that there was any danger.

J. A. BUCHANAN.

In the opinion of the deponent, the charter of Incorporation for the City of Baltimore, although well calculated for the period at which it was adopted, has become inadequate, from the increased population, to a perfect preservation of the peace; and although heretofore a warm advocate for the present form, he is now of opinion that increased, and perhaps complete, judicial powers, such as other large cities possess, is essential.

J. A. BUCHANAN.

DEPOSITION
OF
JOHN WORTHINGTON.

JOHN WORTHINGTON, being first duly sworn—

John Worthington's answers to Interrogatories.

Answer to first. I do.

Answer to second. I saw the attack on the Federal Republican office in Gay-street, shortly after it commenced. I fell in with Mr. Samuel Hollingsworth, who requested me to accompany him to the Mayor's, to endeavor to get him to interfere. We found him on the pavement, near his dwelling, surrounded by a number of his political friends. Mr. Hollingsworth explained to the Mayor the object of our calling on him, and said, "give me twenty horse and I will disperse the scoundrels—yes, sir, give me twelve and I will do it!" I think the Mayor observed, he had no power to comply with his request. "Then sir," replied Mr. Hollingsworth, "accompany us to the mob, let us endeavor to find out the ringleader—let us make some effort to save the property and lives of our fellow-citizens." The Mayor made no reply. His Democratic friends persuaded him not to interfere with the mob; that if he went, he never would return alive, nor any one that accompanied him; that they would not venture their lives with him. Mr. Hollingsworth observed, "Gentlemen, I will risk my life with the Mayor if he will go." After considerable hesitation, (the Mayor not uttering one word, and his political friends still persuading him not to interfere) he took Mr. Hollingsworth by the arm, and proceeded towards the mob. Three young gentlemen, and myself, accompanied them; with some difficulty we penetrated to the centre of the mob; there we discovered a man (who I afterwards learnt was a Doctor Lewis, a French apothecary) that appeared to be the ringleader. Mr. Hollingsworth called out in a loud voice, "that the Mayor was present and wished to be heard." My impression was, that the Mayor did not make a proper effort to be heard—He observed in a low and faltering tone to one, "my dear fellow, you ought not to do so"—and to another, "my dear fellow, you do not know the consequences of what you are doing," &c. The French apothecary appeared extremely violent; he observed, "that the laws must sleep—that nature and reason must have their sway—and that that was the temple of infamy, and, by God, it must be destroyed!" My attention being particularly drawn

at one time to the destruction of the house, my company left me unperceived. The Frenchman discovering my situation, approached me, crying out in a violent tone, "who are you, sir? what business have you here?"—there was instantly a cry from all directions, "a spy—a spy!" and in a few seconds I was surrounded by the mob; with axes, clubs and fists, suspended over my head, with a cry of "make him take hold of the rope or down with him!" By a stratagem I deceived them, and made my escape. The next morning I saw a gentleman who informed me, that he had called on the Mayor for the purpose of getting him to have some of the ringleaders arrested, but discovered the Mayor had no inclination to interfere.

Answer to third. To this Interrogatory I can give no correct information.

Answer to fourth. I cannot speak positively, but I rather suppose there were more Irish than natives.

Answer to fifth. It was generally understood, the day after the destruction of the office, that a covered wagon had been driven to the neighbourhood of the office, about dusk in the evening, which contained axes and other implements for the destruction of the house—I have never heard it contradicted.

Answer to sixth. I have no information.

Answer to seventh. I suppose the house to have been worth between two and three thousand dollars, exclusive of the lot. I can form no estimate of the value of the property destroyed in the house.

Answer to eighth. I have no information, except from report, that Mr. Wagner was pursued.

Answer to ninth. Being considerably interested in a cargo of flour then lying at the Point, and hearing that the mob had made an attack on the flour ships, I rode down, and found them dismantling two ships and a brig, by taking down the sails, spars, &c. One of the ships I knew to be the Dumfries.

Answer to tenth. I understood that there were several vessels, which had been cleared out at the custom-house, pursued and brought back by the mob, particularly one owned by a Spaniard, who applied to the collector for his interference; he did interfere, and I was informed, threatened vengeance against the people if they again molested her or any other vessel cleared out at the custom-house, either for Spain, Portugal, or elsewhere. I was surprised at this information, because I had, some days before, applied for the purpose of clearing out a ship loaded with flour for Lisbon, and Mr. McCulloch positively refused, saying, that he would consider himself as accessory to treason if he should grant any such clearance. I told him I was astonished at his refusal, as there was no law to prevent his doing it, and that every officer in the custom-house differed with him in opinion. He replied, "he was governed by his own opinions, and would

take the responsibility upon himself." As this circumstance was generally known, I always considered and believed it to be the cause of the mob's going to the extremities they did in regard to the vessels.

Answer to eleventh. I have no information.

Answer to twelfth. I have no personal knowledge, but have always understood that there was an attempt made to destroy the African church.

Answer to thirteenth. I have no particular knowledge of any such fact, but have always understood there were such, and have never heard it contradicted.

Answer to fourteenth. I have no knowledge except as to the Mayor, which I have related in my answer to the second Interrogatory.

Answer to fifteenth. I was in the neighbourhood of the house alluded to in Charles-street, on the evening of the attack. On hearing the shout of the mob, I ran to the place, and going up to the door of the house I knocked repeatedly to gain admittance. The door not opening, and being in danger from the stones and brick-bats directed against the house, I retreated across the street, nearly opposite where I stood nearly an hour and a half, during which time the attack on the house was incessant—the door and inside shutters to the windows were closed—I could see no light whatever, from which circumstance, and no opposition being made from within, I had at one time concluded that the house was actually deserted. However, the front door was at last forced open, when four or five muskets were fired, which had no other effect than to cause the mob to run off. Seeing the way clear, I went across, and entered the house. I was introduced to General Lee, who proposed that I should go out and apply to General Stricker for the purpose of calling out the militia. He desired me to acquaint General Stricker of their situation; that they were perfectly prepared for defence, but wished, above all things, to avoid the effusion of blood. After some objections I agreed to go. I went out the back way. I applied to General Stricker, and delivered my message. He appeared irritated, and I thought behaved extremely rude. He told me, that if I wished to be of any service to the persons in the house, to return and advise them to quit it, and give it up to the people, and they would be appeased. I observed to him, that he was giving advice which he knew would not be followed—that he knew the persons in the house too well to believe that they would desert it because a rascally mob had assaulted it, and that was I in the house I would be the last that would give or follow such advice. He replied, "well, go, and get among them as soon as you can." I returned to the house, and placed myself across the street nearly opposite to it, where I remained for a considerable time, when a second fire was made from the

house, I suppose an hour or upwards from the first fire. There appeared to be ten or twelve guns, by which a number were wounded, one of them since dead, by the name of Williams. A considerable time afterwards another gun was fired, which killed Doctor Gales.

I was in Market-street when Major Barney left it with a troop of horse, about thirty in number, as I supposed for the purpose of dispersing the mob. I followed after, but did not arrive until the troop were formed before the house, and Major Barney had dismounted from his horse. I distinctly heard him addressing himself to some persons in this language—"My dear friends, ye must desist!" Being much disappointed in my expectation of seeing the mob dispersed, as being fully convinced that it was in the power of Major Barney to have done so, and having flattered myself that he had been ordered out for that purpose, I felt much disgusted and disappointed. I communicated my sentiments to Mr. James Cheston at the time, observing, that I had no idea Major Barney could suffer any violence to be committed on the gentlemen in the house; and being unwell, and very much fatigued, I went home and saw no more of the affair.

Answer to sixteenth. I have no information.

Answer to seventeenth. I have no information.

Answer to eighteenth. I have no information.

Answer to nineteenth. I have no information.

Answer to twentieth. I have no information.

Answer to twenty-first. Just before dusk, in the afternoon of the twenty-eighth of July, I rode out to the gaol. There appeared to be between two and three hundred of the most savage looking wretches I had ever beheld, collected about the gaol. I conversed with a number of them, all of which appeared determined that night to break into the gaol. On my return to town, I was astonished to hear that the militia had been dismissed, on the grounds that there was no danger to be apprehended. I communicated my apprehensions to a number of my friends, assuring them, that from the disposition of the mob, I was convinced that the gentlemen in the gaol would all be murdered that night. I fell in with Mr. John E. Dorsey, who informed me that about forty gentlemen had agreed to mount their horses, with broad swords, and proceed to the gaol, to endeavor to save the lives of our friends, and invited me to join them—The front of Dr. Alexander's dwelling to be our place of rendezvous. Shortly after parting with Mr. Dorsey, for the purpose of getting my horse, the alarm bell rung, every one exclaiming that the gaol had been forced, and the gentlemen all murdered—I proceeded to the appointed place of meeting, only four persons met—it was too late to be of any service.

I went to the gaol between twelve and one o'clock at night. I entered the gaol, and mixed and conversed with the mob—they

gave me the most shocking and horrid account of the murder of the damn'd Tories. They dwelt particularly on their murder of the old gentleman, as they called him, meaning General Lingan. I continued in the passage of the gaol until I had an opportunity of conversing with one of the surgeons, who gave me a correct account of the gentlemen, after which I returned to town.

Answer to twenty-second. I can give no particular information as to the ordering out or dismissal of the militia. I understood they were dismissed on the ground that there was no danger to be apprehended.

Answer to twenty-third. I have no information; being out of town I saw nothing of the affair until I returned, which was at a very late hour.

To the twenty-fourth. Being summoned to attend at the criminal court in Baltimore, I complied with the summons, and was surprised to find that I was summoned on the part of the state to give evidence against Daniel Murray and others.

Mr. N. Brice observed, what, Mr. Worthington, are you going to give evidence against the Spartan band? I observed that I expected that my evidence would be very much in their favor, but much against the officers of the state; that I often regretted that I was not one of those gentlemen—that I thought any person, who wished his name to descend to posterity with glory, ought to envy those gentlemen. Mr. Montgomery observed, you may think as you please sir, but I consider them as a wanton and deliberate set of murderers—this was in presence of the judges, jurors, attorneys, &c.

JOHN WORTHINGTON.

Interrogatories put by Mr. Donaldson, one of the Committee, to Mr. Worthington.

First. You speak of "the political friends" of Mr. Johnson being with him when you were in search of him with Mr. Hollingsworth? To whom do you allude by that expression?

Answer. Mr. Henry Wilson, Mr. Gerrard Wilson, Dr. Graham, Capt. Rutter, and Capt. Weeks, I believe were present, and several others which I do not recollect.

Second. Did the Mayor address the mob at the Federal Republican office in the following manner: "You are committing a horrid outrage on the laws and on private right;" and command them to desist and retire.

Answer. All I recollect of what the Mayor said to the mob I have related in my answer to the second interrogatory.

Third. When you heard Mr. Johnson speak to one of the mob were you, Mr. Hollingsworth and Mr. Johnson, close to each other?

Answer. We were no great distance apart.

JOHN WORTHINGTON

DEPOSITION

OF

NICHOLAS BRICE.

NICHOLAS BRICE, being first duly sworn—

From 1st to 14th inclusive—I was not in Baltimore at the time the disturbances alluded to in these interrogatories are said to have happened, and therefore can give no information on the subject.

In answering the residue of the interrogatories I hope I may be indulged in departing from the order in which they have been propounded, and in lieu thereof give a narrative of the facts in the order in which they came to my knowledge.

In the afternoon of the 27th of July last, “the Federal Republican” was delivered to me at my office, and appeared to have been issued from No. Charles-street, and was the first intimation I had received of the intention of the editors to re-establish their paper in Baltimore. Shortly after the receipt of the paper, I was informed that Mr. Hanson, Gen. Lingan, and several other gentlemen from Montgomery, accompanied by Gen. Lee, were in the office in Charles-street, and had resolved to defend it in case it should be attacked by the populace. The gentleman who gave me this information, and myself, agreed to pay them a visit—when we got there, we saw Mr. Hanson, Gen. Lingan, and a number of other persons in conversation with them relative to their intentions, and the probability of an attack. Gen. Lingan said to me, they meant no injury to others, and intended to act solely on the defensive if attacked. The house was open, and appeared to be free for the admission of any person who thought proper to come in; and during my stay, many persons came and went away. I went into almost all, perhaps all the rooms in the house, to observe in what state of defence it was—and in several of the rooms saw some muskets, and if I mistake not some swords—how many I cannot say—There were also one or two pair of pistols on the table in the room below stairs, and a servant was employed in the kitchen cutting slugs—although I had reason to believe that a great portion of the people of Baltimore were hostile to the re-establishment of the paper—yet I did not believe they would attack the office when they discovered that it was prepared for defence. Subsequent events proved I was mistaken. A little before or after eight o'clock, P. M. of the 27th, I returned into Charles-street with my family and some friends to a musical en-

entertainment held in Mallet's ball-room, nearly opposite Gen. Stricker's, and not far from the office of the Federal Republican. About nine o'clock, my attention was drawn by a noise in the street—it immediately occurred to me that the office was attacked—and I ran down to the front door to ascertain whether it was so or not. I remained there but a few minutes before my suspicions were confirmed—there appeared to be a good many persons before and about the office. I heard repeated volleys of stones thrown against the house, and the windows falling in, but no return from the house. I could not conceive the reason of so much forbearance on the part of the assailed, and was apprehensive they had been taken by surprise, and had not the means of resistance—at length, after repeated attacks from without, accompanied by shouts—those in the office discharged several guns, which were then said, and by me believed, to be blank-cartridges. Apprehending that a very serious affair was about to take place, I hastened home with my family, and immediately returned into Charles-street, where the first object which presented itself was the body of a man said to be wounded, borne on the shoulders of others, accompanied by a large crowd, into Mallet's ball-room. This person I afterwards learnt was a Mr. Bigelow, who had been in the house, and was beaten by the mob in his attempt to escape. The mob again assembled before the office, and more furiously than ever assaulted it, and continued so to do till a volley was fired from the house, by which I understood one Williams was mortally wounded. This suspended for some time the operations of the assailants. About this period, I think it was, that a gentleman in my presence asked Gen. Stricker if nothing could be done to suppress this commotion, or words to that effect—To which he replied with warmth, “that they, the gentlemen in the house, had no business there. I then mixed with the crowd in the street, anxiously waiting the issue of the contest; having no hope that the military or civil authority would interfere to disperse the mob. As well as I can guess at the hour, for I did not look at my watch, about eleven o'clock, I learnt that Gen. Stricker was willing to call out the military to suppress the riot, and was waiting for two magistrates to sign the requisition. I had just left Mr. John Dougherty a magistrate, and went with Mr. Samuel Hollingsworth in search of him—he accompanied us to the General's, where he waited some time before another could be procured; at length Mr. John E. Harris came, and with Mr. Dougherty signed the requisition; which, together with the General's orders were shewn to me—but the contents whereof I cannot recollect with precision, as I read them hastily. Major Barney, to whom the General's order for assembling the military was addressed, shortly after appeared with a portion of his troop (about thirty in number as well as I remember) with

considerable promptness. The troop were drawn up in Market street, where they remained to the best of my recollection at least one hour after he had received his orders, and after the troop was assembled. It was currently said, and believed, that after Gale's had been shot, the mob had gone for a cannon—and whilst Major Barney was waiting with his troop, it was reported by many persons, that the cannon was approaching Uhler's alley opposite the office, and information to this effect was in my hearing communicated to Major Barney as an inducement for him to move down with the troop—who replied, "damn them, they have no ammunition." It was some time after this information, I think at least a quarter of an hour, before Major Barney moved with his troop before the office—what took place there I know not. I remained in and about the street till sunrise; shortly after which, the Mayor made his appearance and proceeded to the office of the Federal Republican. I followed, and went to the cannon which the mob had planted opposite the office. The military were in the house, and seemed to have the possession of the entrance and windows on the first floor. The mob were still very furious, and threatening violence to the gentlemen in the house, and several times called out to fire the cannon, but were restrained. The gentlemen in the office were afterwards conducted to gaol under a military escort, accompanied by Gen. Stricker, the Mayor, and Attorney-General, and followed by a very large crowd of people, whose rage exceeded any thing of the kind I had ever before witnessed, and were with difficulty restrained from executing their vengeance on the prisoners as they proceeded. About eleven o'clock of the 28th, or perhaps a little sooner, a number of us, friends of the prisoners, assembled at Judge Scott's for the purpose of bailing them; to which Judge Scott at first consented; but, on consultation with the Mayor and Attorney-General, declined; and the Judge afterwards drew up a regular commitment of the prisoners to the custody of the sheriff as criminals. Finding they could not be bailed, I, with others, expressed to the Judge the necessity of having a sufficient guard for their protection in gaol, as it was manifest from the threats of the mob, that it was their intention to break the gaol to get at the prisoners and murder them. The Judge assured me, that measures were taken or would be taken to ensure the safety of these gentlemen, and that a guard would be placed at the gaol—at what time Gen. Stricker gave his orders for the assembling the military I know not; but late in the afternoon, and not before, I heard by mere accident, that the 5th regiment to which I was attached was ordered out. I lost no time in getting ready, and went to our parade ground in Clay-street. On my way, I met two of my company, and asked them to go with me, but they refused, alleging that they were not to have powder and ball, and would not expose them-

selves without it. When I got on parade, I asked Capt. Sterett for powder and ball, in order to ascertain whether the persons above alluded to had told me the truth; he said there was none to be served out. I did not count the military who had assembled, but thought there were from 25 to 30, commanded by Col. Sterett, Major Heath, &c. About six o'clock, as well as I can recollect we were marched towards the gaol, and were halted opposite the theatre, then resumed our march into Fish-street, up into Gay-street, and again halted; where after remaining some time under arms we were dismissed by Col. Sterett, by orders from the Mayor, as I understood, the reason given by him was, that the Mayor, then at the gaol, thought there was no danger to be apprehended from the mob, and of course no necessity for the military guard. Gen. Stricker was in Gay-street on horseback, and I think rode before the military in company with the Colonel and Mayor on the march towards the gaol—he was in his common dress, with a small stick in his hand. There were many other citizens viewing us when under arms, either as unconcerned spectators, or, (as I then thought and still think) as spies from the mob. When we were dismissed, we were ordered to turn out again at the ringing of the bell, which would be done if the mob should manifest any disposition to break into the gaol. I went home, certain in my own mind of the fate which afterwards overtook the prisoners. About nine o'clock, Mr. David Hoffman, one of the prisoners, made his escape, and came to my house, and gave us information of the horrid tragedy at the gaol. The reason why I was certain the mob would break the gaol was, because I had heard a good many persons say they ought to be taken out and killed; and because it was the common impression they would be. The gentlemen who defended the house in Charles-street were called murderers, Tories, traitors—and the fury of the populace was so great and violent, that to me it was a matter of astonishment when I learnt that the Mayor thought no danger was to be apprehended—I do not know that any plan had been previously matured for attacking the office of the Federal Republican—nor do I know whether Gen. Stricker has ordered an inquiry into the conduct of refractory officers or others. I know of no plan for the proscription of other citizens unconnected with the establishment of the Federal Republican office, but such were the apprehensions of the Federalists for their safety, that some fled the city—others that remained spoke with caution and in whispers, lest they should be overheard. The Criminal Court was closed, and the mob was triumphant. I was not in town on the first night when it was said the post-office was threatened—but was on guard with my company all the second night that it was watched.—The call to guard the post-office was made, and promptly obeyed by every class of citizens.

DEPOSITION OF

Answers to the written Interrogatories.

First. I attended the trial of John Mumma throughout, and the trials of Capt. White, and one or two others, the greater part of the time they were pending. Whether the Attorney-General applied all his ability in the investigation of the cases before him, I cannot say; all that I can feel myself at liberty to say is, that in my opinion, he did not examine the witnesses with that ability which the importance of the occasion demanded, and which was necessary to a full developement of the guilt of the prisoners.

Second. I do not recollect any particular conversation with the Attorney-General relative to the impossibility of convicting the accused. I heard him say the day on which the verdict was brought in and afterwards, he thought White ought to have been convicted. After his acquittal, it must have been evident to every person, that it was at least a useless ceremony to try others.

Third. On the night of the riot in Charles-street, I saw Charles Robinson, one of the custom-house officers, standing on the pavement in Market near the corner of Charles-street, with several persons round him. He was in a most violent passion—called the defenders of the house in Charles-street damned traitors, and enemies to their country, and many other harsh names. Said they ought to be taken out and killed. He spoke very loud, and with great vehemence. This was after Williams had been shot. I heard many violent speeches from individuals to the same import—but from no public officer that I recollect other than before stated.

Fourth. I do not know when Levering returned the inquest. I do not remember that its return was mentioned as opposing any obstacle to giving bail—Mr. Montgomery, I have heard, opposed the bail, on the ground of those in the house having committed murder—but I certainly understood from Judge Scott, at the time he was writing the commitment, that one of the reasons, if not the only one for so doing, was for the protection of the prisoners.

Interrogatories put by Mr. Donaldson, one of the Committee, to Mr. Brice.

1st. Do you know whether the Mayor on the morning of the 28th applied to various persons in the front of the house in Charles-street to aid in defending the persons who had surrendered on their way to the gaol.

Answer. I did not see the Mayor after he entered the house in Charles-street, nor did I hear him call on any person to aid in defending the gentlemen on their way to the gaol. I heard a military company had been called out, and loaned my gun to one of the members for that purpose.

2d. Did not Gen. Stricker on the night of the 27th, appear to you very anxious to obtain an order for calling out the militia? And did you not at his request go in search of a magistrate in order to have the requisition signed?

Answer. Gen. Stricker appeared to be willing to sign the order for the military, and waited a long time, as I understood, for the requisition to be signed by the magistrates, but he did not request of me to go for a magistrate. I think Dr. Alexander, in company with Mr. S. Hollingsworth, met me in the street, & told me of the General's willingness, and that he was waiting only for two magistrates.

3d. What is your opinion of the disposition of the militia assembled in Gay-street to march to the gaol in order to defend the prisoners?

Answer. I conversed with but few of the militia assembled in Gay-st. Judging from the readiness with which they marched I concluded they were willing to defend the Gaol against the mob. I heard one or two murmur a little (as I did) at the circumstance of having no ball-cartridges served out—but each of those told me they had powder and ball sufficient, I had at least twenty ball and sufficiency of powder which I had put into my pockets early in the day to be in readiness.

Interrogatories put by Mr. Dorsey, one of the Committee, to Mr. Brice.

1st. Did not a general suspension of business ensue the movements of the twenty-eighth?

Answer. There appeared to me to be a very general suspension of business; the stores and places of business were open, but persons of all descriptions seemed to be engrossed by the proceedings of the mob, and many expressed great fears of what was to come.

2d. Do you know, or have you heard, that any emigration to the City of Baltimore has been prevented by the riotous temper of Baltimore?

Answer. I have heard that one or more merchants from the eastward had intended removing to Baltimore, but were prevented in consequence of the riots—but of this I have no other knowledge.

3d. Did the real property of the city suffer any depression in consequence of the insecurity of the citizens?

Answer. I have no means to judge of the effect of the riots on the value of the real property, as there were no sales; to my knowledge several gentlemen offered to sell out at a loss.

4th. Did any particular occurrence arise in the trials inducing a supposition that the attorney-general was indifferent to the result of the trials? If so, mention what the same was.

Answer. I have no knowledge of any such particular occurrence.

5th. Did Mr. Montgomery oppose the removal of the indictment against the persons in the house? And where did he wish the trials to take place? And what conversation had you with him in relation thereto?

Answer. The attorney-general did oppose the removal of the indictments against Mr. Hanson, and others, on the affidavit made out of court. In conversation he told me he thought they were guilty of wilful and deliberate murder. Where he wished the trials to take place, I did not hear him say.

6th. Was Hoffman injured by the mob at the time when Major Barney remained before the General's door, and after solicitations used to urge his moving on to the house in Charles-street?

Answer. Whilst Major Barney was on his way, or just after he had got before the house, I was told Mr. Samuel Hoffman had been taken by the mob, and was hanged, or about to be hanged, to a lamp post.

7th. Did you ever hear the Mayor by any language excite irritation against the persons in the house on the twenty-eighth of July? If you did, when and where, and what was the language used?

Answer. When the Mayor, and others, were at Judge Scott's on the twenty-eighth, consulting about the propriety of bailing the prisoners in gaol, and calling out the military, the Mayor expressed considerable indignation against the gentlemen from Montgomery, including General Lee, for coming to town for the purpose of aiding Mr. Hanson, and called them foreigners; he expressed an opinion that they had no right to come for that purpose. I asked him if gentlemen of Montgomery were not as much citizens of Maryland, and equally entitled to the protection of the laws, as the people of Baltimore; he replied with great warmth, "what sir, do you mean to make a political question of it?"—I replied, no sir, all I want is to save the lives of those gentlemen—further I know not, of any hasty or improper warmth on the part of the Mayor.

DEPOSITION
OF
WILLIAM B. BARNEY.

WILLIAM B. BARNEY, being first duly sworn—

William B. Barney's answers to the Interrogatories of the Committee of Grievances and Courts of Justice.

First answer. I do know of the destruction of a house in Gay-street, in the City of Baltimore, on or about the twentieth June last, in which the Federal Republican was published.

Second answer. I arrived there about ten o'clock. I did not see any of the magistrates, constables, or judges present, except as is hereinafter noticed. I do not know of any endeavors made to arrest the rioters. I do not know, nor have I ever heard, that the interposition of the military was demanded.

Third answer. I did not go near enough to the house where the mob was engaged to be able to judge of the number; I saw many engaged in the work. I remained till after twelve o'clock, and then there appeared much to do.

Fourth answer. I cannot say, particularly, of what description of persons, but they appeared to me to be principally labouring men and young mechanics; and those I saw, appeared to be Americans, for several passed where I stood, to get drink, as I supposed.

Fifth answer. I have no knowledge that the attack was a pre-concerted plan; the first I heard of it was at about nine o'clock of that evening. I was attending a meeting called at the Fountain Inn, Light-street, for the purpose of determining upon some plan of celebrating the fourth July—was secretary to that meeting, or I would have gone down to Gay-street. Judge Nicholson was chairman—There were about thirty persons present; those I now recollect are, Lemuel Taylor, Levi Hollingsworth, George Stiles, John McKim, jun. Christopher Deshon, Doctor Swartz, Andrew Clapper, Joseph Young, James Caldwell, James L. Hawkins, and Thorndick Chase; we were going on with the business for which the meeting was called; I went to the bar for paper, &c. while there, the bar-keeper said that they were pulling down the Federal Republican office, which I communicated to the meeting; none believed it; we hoisted the windows fronting the direction of the Federal Republican office; we heard no noise, (we were in Barney's assembly room) and thought that if any thing of the kind was going on, we should certainly hear some noise; the night was still, and we proceeded with our business,

which we finished at about ten o'clock, and I went down to the several printers to leave a copy of the proceedings for publication. I found no one at the office of the American. I then went for the first time into Gay-street, where I found the editor of the Whig (Irvine) and told him what we had been about, but said that as his paper did not come out till afternoon, I would go round to the Sun office; I did so—there was no one there. I returned, found Irvine again in the crowd of spectators, and gave him the proceedings which he promised to insert the next day. There were very many persons present, men, women, and children, of first respectability, and people of all sorts, sizes, ages, qualities and colours. Some of those who attended our meeting at Barney's were there; Judge Nicholson for one.

Sixth answer. I do not *know* of any information being given to any of the civil authority of a contemplated destruction of the building.

Seventh answer. I consider that the proprietor of the house ought to be much obliged to those who pulled it down, for, in my opinion, the house, while standing, injured the value of the lot.

Eighth answer. I know nothing about it.

Ninth answer. I left Baltimore the next morning for Washington, where I remained about two weeks, consequently whatever may have occurred during that period, I know nothing about. After my return I did *hear* of a vessel, cleared out and bound to Havana, belonging, as I understood, to a Mr. Carriga Bourra, a Spaniard, had been stopped by the people at the Point, but whether she was dismantled or not I do not recollect to have heard.

Tenth answer. I do not *know* of the interposition of any public officer, but I heard that the collector had been applied to in one instance, (the Spaniard's) and the Mayor in another, (Mr. Wirgman's) but I do not know what was done in either case.

Eleventh answer. I know not.

Twelfth answer. I never even heard of such a thing until now.

Thirteenth answer. I heard, while I was at Washington, that a man, whose name I do not now recollect, residing nearly opposite the circus, having expressed a *wish* that the road to Quebec might be paved as thick with the bones of Americans, as his back yard was with sheep's knuckle bones, and that the people had pursued him and were determined to punish him, or tar and feather him.

Fourteenth answer. Answered in part in answer fifth, and further knows not.

Fifteenth answer. On Monday the twenty-seventh July last, at about eleven o'clock, A. M. I called, as I frequently did, at Mr. Edward J. Galt's book-store, in Market-street, Baltimore, where he was then and is now a Federal Republican newspaper.

contained a piece against the Mayor, Edward Johnson, esq. upon reading it I observed, that it was a libel; Mr. C. answered and said, if so, Mr. J. had his recourse in-law. He then told me that the paper was issued from a house in Charles-street, that the paper would be re-established in the city, and supported there, and for that purpose some of the most determined men in the United States, were armed, and would re-establish it at every hazard. In reply, I gave as my opinion, that if blood was spilt by the persons he spoke of, the people of Baltimore would tear them to pieces; that I thought it a most ridiculous attempt. This was, so far as I can now recollect, all that passed on the subject with him.

In the course of the day, I heard several persons say, that the Federal Republican had been issued from a house in Charles-street, and that it contained some infamous pieces, particularly one against Mr. Johnson. I did not, however, hear any threat uttered. In the afternoon I had occasion to pass from Hanover-street, through Under's alley, to Charles-street, when, for the first time, I became acquainted what particular house it was which had been alluded to. I saw young Mr. Paine, *the actor*, at the door, which appeared to be opened with caution, and he passed into the house. I went down to the Pratt-street commissioner's office, in Pratt-street, and returned on or about sun down, perhaps a little before. I called in at Col. John Bankson's, a few doors south of the house then occupied by Mr. Hanson, and others. Mr. Bankson made some observations relative to an attack upon the house, but treated the idea of such an attack with perfect indifference and contempt. I staid there but a short time; while there, however, I heard as I thought, a musket fired at some short distance; I looked out at the front window, and found it proceeded from some persons of the military school under the directions of Mr. Craig, the tutor, who had been out exercising and had fired a salute opposite to Gen. Stricker's house; at the same time I saw several persons put their heads out of the window of the house then occupied by Mr. Hanson, and others, as if to ascertain the cause of the firing. I then left Colonel Bankson's, and proceeded up Charles-street. Mr. Thomas C. Jenkins, who lives in the house adjoining that of Mr. Hanson, was sitting at the front door with his wife; I stopped and had some little conversation with him relative to that house, when his wife told me, *that the persons in it had been barricading the gate, and filling the alley with wood, and that the windows being, having only iron shutters, were barricaded in the same manner.* It was Mr. Jenkins's opinion, expressed to me, as it was mine, that no attack would be attempted, and with Mrs. Jenkins laughed at the idea of such a thing, observing, that in case there was none, the persons in the house would be considerably disappointed. During this conversation, a negro man

came out of the front door of this house with a large stone pitcher in his hand, and proceeded to a pump for water, as I had seen on his return, there was another negro man with him, to whom the first spoke thus—*see there, (pointing to two genteel looking persons on the opposite side of the street) there are some of the damn'd rascals now, but let 'em come, we are ready for them.* Mrs. Jenkins told me that when the salute was fired before General Stricker's house, the persons in Hanson's house appeared to be a good deal alarmed, running to the upper windows, and calling Mr. Heath, Mr. Heath, &c. at this time there were but the two persons above mentioned near the house. Passing Gen. Stricker's house I met him near the front of it, and I related to him what I had seen and been informed—his observation was, that *"the persons in the house would be damnably disappointed, for no one would take notice of them; that it appeared to be their wish to throw the town into riot and confusion, but they would not have an opportunity, for he felt sure no attack would be made."* While we were talking, a young gentleman, (I think) Mr. Henry Scott, passed us with a musket and cross-belt, I believe, but will not say positively—he was going towards the house of Hanson—the General observed, *my God, is it possible that they would admit such a boy as that of their party, he ought to be taken home and whipped.* I then proceeded home, and went to bed about half past nine, perfectly satisfied that nothing of a serious nature would take place. On or about eleven o'clock, I was roused by a knocking at my front door; I had been asleep, and was somewhat confused—I raised the window, when a person I could not then recognize, although it was bright moon light, told me that General Stricker had sent him up to order me out with my troop immediately. I asked him who the devil he was to order me out? he then told me, *his name was Buchanan (Thomas) asked me if I had not heard what had happened, that people were killing each other; that three were already dead; that the General (Stricker) had requested him to come up for me, and that my orders would be made out by the time I got to his house.* I immediately ordered my horse, and dressed in my uniform, proceeded to General Stricker's house. On my way I saw several persons, men and women, standing in Market-street. At Gen. Stricker's door a crowd had collected, but I do not recollect that I recognized any of them, some of them took hold of my horse, and I went in. I found General Stricker, James Calhoun, jun. Brigade Major, Richard B. Magruder, Doctor Alexander, Judge Scott, and several other persons, who in my hurry and anxiety I did not particularly notice. *My orders were not then ready, but the General ordered me to parade my squadron with the utmost possible speed.* I set off to do so, and rode to the quarter master sergeant (strictly) of the Maryland Chasseurs; he was not at home; his wife said he had just gone to Charles-street. I rode down there again when I met him and ordered him to mount

his horse, and go to the trumpeter, and send him round with orders to see every man himself. Doctor Toriller was with Stirly, he is surgeon to Captain James Sterett's company of Hussars, and is not attached to my command, nevertheless I requested him to see as many of *his* troop as he could, and get them to turn out immediately—they then left me. I set off in search of Captain Horton, who commands the Maryland Chasseurs, one of the troops of my squadron, and met him accompanied by Mr. George Stuart, who I believe had been sent for him at the time Mr. Thomas Buchanan was sent for me. Captain Horton was on foot and in plain cloaths? I ordered him to parade his troop with all possible despatch at the intersection of Charles and Market-street; and informed him that his quarter master sergeant (Stirly) had been sent to the trumpeters. I then, thinking that Captain Stevenson (who commanded the Fells Point Light Dragoons the other troop of my squadron) was in the country, went to General Stricker's again to know what I should do. I there saw some of the Hussars, (the troop under the command of Captain James Sterett) who told me that Captain Sterett was out of town, and the only officer belonging to it in town was second Lieutenant Sellers. *My orders were not yet ready; I however went in search of Lieutenant Sellers, (whom by-the-by I had no controul over.)* On my way, I was hissed by persons in the street; I found him at his house in Calvert-street; he had been in bed. I told him what was going on, and added, *You are hereby ordered, as the only officer in town belonging to the Hussars, to turn out immediately, and collect the troop at the intersection of Charles and Market streets; you need not take time to uniform, let them attend with their caps and arms.* This command I of course assumed, but thought the urgency of the case would justify it. I returned to General Stricker's again; there was still a considerable crowd before his door. I dismounted and went in; Judge Scott was there; he said that he had been down to where the mob was; that there was but one person among them who was very violent, and that he would have taken him had he had assistance—I replied, that *I* would go down and take him. Doctor Alexander, who was also present, said he would accompany me; some other persons in the room, General Stricker among the rest, advised me not, as I was in uniform, and consequently so very conspicuous, they thought I would run too great a risk—I did not go.

Captain Stevenson about this time came in; I took the order intended for me from the table and gave it to him to read, and ordered him to collect his troop immediately; which he left me to do. Mr. Aldridge, then in the room, asked me if I had ordered out the Hussars, as he had heard; (he was a member) I told him I had; his countenance evinced some surprise; he went away

as he said to join them; which he did. The family of General Stricker, during the different times I had been at the house, were in the greatest distress, (they consist of his wife and five daughters.) I again mounted my horse and went in search of my men. I met Stirly who I had sent to the trumpeter, he told me that he had positively refused to turn out; I then ordered him to go to the house of every good trooper belonging to the Chasseurs, and request they would repair without loss of time to Charles-street; I then saw one or two of the Hussars, and rode down Market-street with them, requested they would separate and call upon as many of that troop as they could, and return immediately; they set off at a gallop. I then met Captain Stevenson in his uniform, mounted; he stated that he was fearful if he went to the Point where his troop resided generally, the people at the Point, who he believed had not then heard of the affair in town, would turn out and form a greater mob than the one then existing, when he should do an injury instead of a benefit—I replied that I had no dispensing power, that he must go to General Stricker; he did so, and returned to me a short time after, saying that the General had insisted upon his calling out his troop. I felt the propriety of his obedience, but reflecting upon the absolute certainty of the measure being productive of much injury, I told him that he need not go, that I would take the responsibility upon myself, and informed him that I had ordered out the Hussars. I left him after a request that he would ride round and induce as many to turn out belonging to other troops as possible. I then halted at the corner of Market and Charles-street, where some two or three horsemen had just arrived. I saw Mr. Samuel Hollingsworth and many other persons there among them. A person asked what the troops were turning out for? I told him that the mob had attacked a house in that street, that several were killed—he asked if any were killed; I replied with much warmth, yes sir, three; very well, said he, that will be answered for hereafter, and he left us. Mr. B. Mullikin then came up and asked if the horse had been ordered out? I told him yes—he observed that they collected very slow—I told him that I had no authority to order him out, as he belonged to Capt. Thompson's troop, nor would I presume to do so, but that I would accept of volunteers, and would be much obliged to him if he would go and get his horse, cap and sword, and join me; he said that he had lent his sword the evening before or he would. I made some reproachful reply, and he went away. I again returned to General Stricker's, there was still a considerable crowd at his door. Major Heath, Mr. Upton Heath, I think Doctor Alexander, James Calhoun, jun. the General, Richard B. Magruder, and some other persons, were there. My horse the General advised me to put into his stable, lest he might be injured by persons of the mob, if he remained at the

door; I took his advice. During the different periods I was at his house he expressed the greatest anxiety that I should get down to the mob as soon as possible, and was much concerned at the cavalry turning out so very slow. I was mortified, and expressed it, that I should hold a command of men who, when it came to a push, would not turn out, and offered to go with what had collected, which did not then amount to more than five or six; the persons present begged me to have patience, that they had no doubt I would have a very respectable force in a short time; that if I did not go with a sufficient number, I had better not go at all.

About this time a violent knocking was at the front door; we all went to it; we found that the mob had got one of the persons out of the house, and was dragging him along, threatening to tar and feather him; they had not yet reached the General's house, where we were standing on the steps in front of the door; they soon reached us, and I perceived a man whom I immediately recognized as Mr. Frank Hopkinson, surrounded by a considerable crowd, all of whom appeared to be determined to put their threats in execution; he was dreadfully alarmed, crying for *mercy and help*; as soon as he saw us he endeavored to extricate himself and reach us, the party round the door assisted him, and he got part of the way up the steps where we met him; as soon as he could he threw his arms round me, and said, *I throw myself under your protection, save me! save me!* General Stricker caught hold of him as did I, when the cry from the mob was *hold on, hold on, don't let him go!* General Stricker spoke to them and cursed them, some of them let go their hold, one, however, more determined than the others, persisted, he lost his hat—I still had hold of Hopkinson, and his arm round me, crying for protection; I drew my sword partly out of the scabbard, intending to have cleft the head of the man last noticed, when seeing the blade, as I suppose, which the brightness of the moon made perfectly visible, he let go his hold; we then got Hopkinson into the house; he tarried but little, for he went like lightning through it, out of the back door, through the yard, and God knows where he stopped—the next I heard of him was that he was in Philadelphia. Hopkinson had scarcely got of the house, when a drum was heard in Market-street approaching, it came on led by two men with muskets, and followed by many with sticks. General Stricker, James Calhoun, myself, and others, who I do not now recollect, ran out to meet and disarm them; the General seized hold of the musket of one of them, and was assisted by almost every person present who could get near. I attempted to wrest the musket from the other, and caught hold of it at the instant the man was about to fire it at General Stricker and the others engaged with the other man; none came to my assistance, and after some little struggle he succeeded in keeping possession of

it, when he pushed at me in a furious manner with the bayonet, to avoid which I was obliged to jump aside, and it passed me: at the same time a lad, apparently not more than fifteen or sixteen, cried, give me the gun and I'll shoot the son of a bitch in a minute; the other man, having still his musket, then joined this one, and they proceeded down the street where the drum had gone during the scuffle. The General, and those who had come out of the house with him, myself included, went in again, where we remained until Mr. Richard Magruder, who had been sent for the purpose, returned and informed me that there were twenty-two horse collected, when the General told me I had better go and join them. I asked for my orders, (marked 1) observing, that I should like to have them with me for fear of accidents; they were given to me, and I put them in my pocket. I then asked Mr. Upson Heath if he had a pair of pocket pistols, (I had none of any kind) or if he could procure me a pair, he had none nor could he borrow any for me. I thought some of the persons about the house might possibly have a pair, but they had not. I was then advised to take the feather from my cap as it being white would render me a more conspicuous mark to throw or fire at; and the General made me take off the eagle and ribbon of the order of 'Cincinnati which I wore on the left breast of my coat, saying that it might be an excuse for the mob to attack me under the plea that I was a foreigner. I then went out; Maj. Heath followed me into the passage, squeezed my hand, *begged me to take care of myself and keep cool, and wished me success.* It was at least one o'clock, perhaps later. I mounted my horse and joined the skeleton of a squadron at the intersection of Charles and Market streets, the moon as it had been all night was at its utmost brightness. I must mention that during the whole time of my being in at General Stricker's, the report of discharges of fire arms were occasionally heard, and the last report I have no doubt was that of a rifle, and I made that observation to General Stricker. It struck me, that the Hussars from wearing white feathers would be a more conspicuous mark than the Chasseurs who wore red, and the members of the latter being robust men, I placed them in front, although the former, from etiquette, was entitled to precedence. I formed them in two divisions, Lieut. Myers was on the right of the first division, and Quarter Master Sergeant Stirly on the left; to these men I gave instructions, that at the word charge, they and their right or left hand man should instantly gain the foot pavement and clear it, at the same time that the others were acting in the street. Capt. Stevenson begged that I would give him some command, when Lieut. Sellers of the Hussars observed, *that he had no objection to any officer of superior rank taking command of his detachment of the Hussars,* and I gave the command of the second division to Capt. Stevenson; the first was commanded of course

by Captain Horton. The divisions being formed, and particular orders given to the different officers as before said. I rode in between them, commanded silence, and stated that I had received my orders, which were—and was proceeding to repeat them, but recollecting myself I said, *my orders to you are, that you remain with your swords in your scabbards until I give you the word to draw; you are to put up with every insult that tongue can utter; I will be the judge when you are to resent it. You will not draw your swords unless attacked, and then only by my order, mind, I charge you; but your swords once out, use them like men, spare nobody.* I then took the front, and commenced our march, but was soon requested to halt by some persons, who informed me that the mob had got a piece of cannon and would fire it upon us as soon as we appeared—I asked if they had seen it, they said no, but some other person stated that he had seen them taking a piece of cannon down Hanover-street, which would be there as soon as me; I begged him not to say any thing of it to my men. Capt. Horton asked me where was his station; I told him along side of me. I requested a person present to search for and find Mr. Fulton the magistrate named in my order, he came and I requested him to accompany me. We proceeded at a walk, and were stopped by several officious gentlemen, who stated *that the gun was ready and would be fired upon us immediately; some said there were two, and some three pieces of artillery; however I begged them to say nothing of it to my men, and advanced.* I requested the persons who followed us to return or halt where they were, for in case of a charge they would not be known; some of them took my advice and staid behind. I had now nearly reached Ruxton Lane; the street before us appeared nearly deserted; a person came up to me from the right of the street and said, *“Major Barney charge down that street, sir, they have got a man out of the house there who they have beat almost to death, and are going to hang.”* I told him to go about his business, that I had my orders and did not want his interference. I had now got up to Ruxton Lane; the detachment a little in my rear, when I halted them, and advanced, was addressed by some one of the mob, which appeared numerous, *and asked what my business was?* I told them that I came by orders from higher authority; that my purpose was to protect persons and property; to preserve the peace of the city; and that they must disperse and go home; that the inhabitants, men, women and children, were in a state of alarm, and the whole city in confusion; that they must disperse. I was then asked, *who gave you your orders?* I said that I had them in my pocket, and that Brigadier-General Stricker gave them to me. I told them they might see them if they chose; *they said no, that was not necessary;* while some said, *damn you can't you take his word for it.* I was then asked, *who are you?* I then said—Friends and fellow-citizens, I have already informed you that I come here by superior orders; my

name is Barney, and when you know that, you need not enquire into my politics, they are the same as yours; were it not for my orders I would not be among you. I am sent to preserve the peace of the city, and by God I will do it; and now my friends disperse and go home. *Are you come to take the tory murderers prisoners?* No! I have no authority. *Are you come to protect them?* I am come to protect them as well as you, and to protect you as well as them. *Do you mean to let the murderers escape?* No murderer shall escape with my knowledge, and that I pledge you my word as a man and a soldier of—they then gave me *three cheers*, which induced me to suppose I had gained some confidence with them, and I asked, tell me, my friends, have not you got some one out of the house, (Mr. Hoffman) in a house down this street, whom you have beat severely, and what do you mean to do with him? They hesitated, and I pressed them for an answer; they at length said, *yes—that they had one of the murderers—that they had beat him and would hang him.* I demanded that they should give him up to me, and that I would take care of him. *They asked me how—* I said by putting a guard over him. *They said no, he will get away, but we will take him to the Watch-House, and leave him there, and we will not hurt a hair of his head more.* I was only anxious to get Mr. Hoffman out of their hands, and thought he would be perhaps safer in the Watch-House than in my charge, and much less responsibility attached to me; I acquiesced.

I then advanced towards the house occupied by Hanson; when nearly in front of it I was hailed from the second story window, with—*who comes there?* A friend. *Who are you, and what's your business?* My name is Barney, and I come to protect persons and property. *We are very glad to see you, sir.* I then gave the word to form, and at the instant a man came out of the crowd with a musket, and was in the act of firing it at one of the second story windows, when I threw myself from my horse and wrested the gun from him—he desired leave to fire it off—I told him his firing it off would be as bad as firing it at the house, for they would certainly return the fire. I gave the gun to one of the Chasseurs, after beating the priming out. The people collecting round the windows of the house, I went in upon the foot pavement and desired them to stand back, that they must not crowd round the house in that manner. Upon approaching one of the windows I saw a person in the front room, who advanced to the window and seated himself in it—he addressed me as *Captain Barney—we are ready to surrender to the civil authority if the mob will disperse; we will surrender to you sir—but the mob must first disperse;* I told him I had no authority to receive a surrender, but I would endeavor to get the mob to disperse, and asked him if I should state to them what he had told me; he said *certainly.* I then went into the street and repeated it to them; they said *they would disperse after the murderers surrendered, and beg-*

ged me to take them prisoners. I again told them that I had no such authority, they asked me to get a list of their names then, that in case any should escape they might know who they were. I returned to the house, and saw the person again in the passage; I did not know him, but supposed it was General Lee. I related to him what passed between myself and the mob, and their apparent determination not to disperse until the people in the house had surrendered. He replied, *that the people in the house would surrender upon the terms already proposed by himself, but that they never could consent to surrender and march out of the house as prisoners, subject to the insults and scoffs of the mob, they would much rather stay and perish where they were.* I told him that the mob were fearful some of them would escape, and asked if he had any objections to giving me a list of their names, merely to satisfy them. He said *he had no objections to doing so, but that I might rest assured none would attempt to escape, for they had done nothing that they were afraid to answer for.* At this moment we were interrupted by some of the better disposed of the mob, who calling to me, said, *Major Barney, they are now bringing the cannon down Uhler's alley, and will fire it in a minute if you don't make haste sir.* I ran across the street, and proceeded a few steps up Uhler's alley, when I perceived some persons at the farther end near Hanover-street dragging the cannon down; I ran forward, they called to know who I was, and told me to get out of the way, or they would fire upon me. I told them I was a friend, and cried to them to halt; they did so for a moment till I got to them. I attempted to reason with them, but they would not listen to me. The piece was unlimbered, they took up the drag ropes, and continued in spite of every thing I could say to the contrary. Finding words ineffectual, I ran to the muzzle of the piece, put my hands upon it and my breast against it, and was forced backwards until they had nearly reached Charles-street. By this time many of those whom I had addressed, and who knew me, collected round the gun, crying, *hear Major Barney, hear him! hear what he has got to say, hear Major Barney!* I mounted the gun, repeated what I had before said to the mob, assured them there was no danger of any one escaping, that I had pledged my word to that effect, and would now repeat that pledge if I would swear that the gun should not be fired till I had violated it; and further, that if it was necessary to fire the gun at all, I myself would give the word; they cried *three cheers for Major Barney!* I got down, they declared *the gun should not be fired while I kept my word.* I then demanded the lighted match, which was handed to me, and I intentionally let it slip through my fingers, it fell in the gutter and was extinguished. They said, *never mind Major, we have got segars enough and we'll make matches of them.* When I first got on the gun it was with the greatest difficulty it was prevented being fired, for many times

the match was within two or three inches of the touch-hole— they suspected I wanted to rub the priming off with my foot, and while one held my foot fast to the gun, another stood with a large stone swearing *he'd mash it if I did*. I did not know any of them. I requested if they meant to keep their word, that they would turn the muzzle another way; they did not do it, but said they would not fire. When I was on the gun and so many attempts to fire it—the cavalry whose line extended across the mouth of the alley, gradually progressed to the right, so as to be out of the way of the explosion, which perceiving, I commanded them to halt, that, that was the very spot I wanted them most to be, and damn'd them for moving—it was done without any orders of the officers, but to avoid the danger which threatened their rear. I returned to the pavement in front of the house: It is impossible for me or any human being to recollect every circumstance that passed; the people were Dutch, Irish, and Americans, and one English sailor, all importuning at the same moment; then cursing the tories, the murderers, and very lavish of every species of abuse that tongue could utter. I found much less difficulty with the Irish and Americans than with the Dutch. While on the foot pavement, a stout good looking man came up to me, I recollected having seen him two days before in Pratt-street, while running the lines of that street agreeably to the law to that effect, I took him by the hand, claimed acquaintance with him, and entreated he would assist me to maintain order; I soon found he had much influence—he pledged himself to do all in his power. I then asked him to take charge of the gun, and crossed over to where it was; to those who then had charge of the piece he said, *lads, this gun belongs to the artillery company I belong to, I am used to it, and can handle it better than you can, give me charge of it, and when the Major here breaks his word, by God we'll give it to the tories*. He then declared to me that the gun should not be fired so long as he could prevent it. Returning towards the house, I met Mr. Isaac Caus-ten, I expressed my satisfaction at seeing him there, and begged him to remain near the gun, that all I was afraid of was *that* gun, and not to quit it on any account, he promised he would not. Before I reached the house, the persons who had conducted Mr. Hoffman to the Watch-house, met me in the crowd, which had much increased, told me *that they had left Mr. H. in the Watch-house, but that Judge Scott had told them that he should be turned loose at 4 o'clock, if no one appeared against him*. I soon foresaw the effect of such a proceeding, by the threats of the mob, and requested two or three of the most decent looking of them to run back and tell Judge Scott that *I* would appear against him, and upon no account to let Hoffman out. The men were gone but a short time, on their return they came to me and said, *he's out sir; Judge Scott has let him out! Who is out?* was the cry

throughout the mob; *why Hoffman, was the answer. Then, by Jesus, the other murderers sha'n't be given up to the civil authority; we'll have our satisfaction here—now Major Barney you have deceived us, you know they would let Hoffman out, and you know that will be the case with all the damn'd tories.* I assured them that I disapproved of his being set at liberty, and had sent some of their own friends to prevent it, but they were too late. This fortunately perhaps for me at the time was corroborated by the persons I had sent. Their clamours increased, *blood for blood, was the word, and clear away the gun was the cry.* The gun was again prepared, the mob left the front of it, and again I was constrained to throw myself before it, and told them to fire and they should blow me to hell with it. After some little time, and much talking, I prevailed upon them to agree to wait till the civil authority should arrive. I told them that the mayor, magistrates, and all the constables were collecting, and would be down in a little time, and would take all in the house into custody—they appeared satisfied. Gill, the man who had taken charge of the gun, assured me he had done all he could; in fact, I found him laying on the gun, his breast over the vent, and his arms closely clasped round it, he said he would stick to it, but he was afraid they would fire if the Mayor did not soon come down. I told him I would go up to Gen. Stricker's for orders, but by all means not to let the gun be fired in my absence; himself and many others swore it should not. I went to the General's, many persons were on the steps of his front door—I do not now recollect who they were, he was sitting just within the door, and expressed surprise and dissatisfaction at my leaving the mob; I told him that I had left them under the pretence of getting further orders, but in fact only to gain time, in order that the civil authority should appear, or until day-light, when I expected many of the mob would retire for fear of being recognised. I then learnt that the Mayor was in the country, and the General said he would send some gentleman for him; it was first proposed to send a trooper, but it was objected to on the score of weakening my force. After some short time, perhaps a quarter of an hour, I returned to the mob, and went in upon the foot pavement where they were crowding. Gen. Lee was sitting in the window, or came immediately after I got there; he appeared as if he wished to say something to me, but the mob closing round me prevented him. Wilson, the editor of the Sun, came up to me; I shook hands with him, told him I was glad to see him, that I wanted assistance; desired he would help me to clear the foot pavement, and to place himself at the other window, and induce the mob to quit it—he did so, but did not remain long there. Some of the mob then came and told me that the murderers were escaping from the back of the house, and that if I did not send a guard round they would fire the gun and have satisfaction as

care. I told them I would soon do that, that they need not make themselves uneasy; and accordingly ordered Captain Stevenson with six men to the rear of the house. I again went on the foot pavement, and requested the mob to leave it, to give me a little room, that they had pressed me almost to death, in short, that they must retire to the other side of the street in the rear of the house; after a little, they did so, but the moment they got there, they commenced such a volley of opprobrious language against those in the house, such as *tories, traitors, murderers, damn'd villains, assassins &c.* sometimes crying out there's *Hanson, that's him! look, there's the fellow that shot Williams, see that fellow with a white hat on! Oh, you murdering tories! we'll have you yet!* Expecting every moment when they would proceed to an attack, or that those in the house would resent such language, I called to them to return to me, that I wished them on my side of the street, for it would not do to continue there and abuse those in the house, who were perfectly quiet; and had not answered a word. They came over generally and the abuse ceased. Andrew Boyd, whom I had seen once or twice before, came on the foot pavement nearly opposite the front door, a pale-faced young Irishman said to him, *yes, God damn you, you are as bad as they are, for by Jesus you help'd to save one of them!* and gave him a violent blow; I went in between them; the young Irishman drew from under his coat a-bout a rusty bayonet, with which he struck at Boyd several times, each of which blows I caught upon my left arm, or shoulder; he was behind me, and I had much difficulty to prevent Boyd from engaging with him; the Irishman after some persuasion was also appeased. I again cleared the foot pavement, but I had scarcely done so before I was sent for by Gill—he told me, *that he could no longer prevent the gun being fired, and that they had determined to allow but ten minutes more for the murderers to surrender and come out of the house.* I ran over, and stepped briskly into the passage of the house, when looking forward I saw the muzzle of a musket pointed at me from the foot of the stair-case, with a challenge of, *who's that?* I cried halt, a friend, Barney—I want to see somebody. General Lee then came down stairs, and came to me near the front door. I told him what the mob had determined upon, and said what in the name of God shall we do. He replied, *that he had wanted to communicate with me for some time, but that the mob had pressed round me so much that he could not—he then said, "Major Barney, can't you dismount an officer and five or six men, and place them within the house as a guard."* I told him I would do so, and asked him whether the persons in the house would permit my men to enter; he said *certainly.* I told him that it must not appear as if this proposition came from him, or the mob would object to it—*He said he was aware of that, and that was the reason he had been so cautious in speaking to me about it.* I hastened over to the gun, got on it, and called the mob round

me, told them I had a proposition to make to them, they were attentive; I then said that I would dismount some of my men and place them with drawn swords in the inside of the house, at the door and windows, and then nobody could escape, but that nobody should enter; they answered generally with a shout of approbation; *but said that I would not be permitted to enter by those within*—I told them to leave that to me. I asked if that would satisfy them, they said, yes sir—I said give us three cheers then, which they did. I then dismounted Lieutenant Myer's, and five of the Chasseurs, and marched them with drawn swords, preceded by Messrs. Falton and Gourdon, magistrates into the house; Lieutenant Myers and one man I stationed at the front door, and two men at each of the windows of the front room, with orders, which I gave in a peremptory tone, to stand at the windows, not to leave them, and to let no one in or out but myself, if any attempted to pass to put them to death, I would be responsible. I went again into the street, the mob said there was no guard in the rear of the house. I dismounted four more men, and marched them through the house into the yard, stationed them there, with orders to hold their swords high so as to let them be seen above the wall, for fear the mob might take them for some of the persons from within the house, and attack them—I again went into the street. Finding that I might dispose of some of the mob, one of which had been holding my horse since my first arrival there, I requested some who were disposed to be noisy to hold the horses of my dismounted troopers, saying, if those who remained mounted were obliged to hold the horses, they would not be able to act in case of necessity, which you know, my lads, would not do at all; and five or six of them offered to hold the horses, which they did. About this time an Irishman, very drunk indeed, came up to me, and said that I only came there to protect the murdering Tories, and gave me a blow in the breast with his fist; I seized hold of him, but so many coming round and protesting that they would punish him if I required it, I let him go, and he was hustled away, and I saw no more of him. The mob again became clamorous about the civil authority not appearing, and I told them I would again go up to General Stricker's for orders—Lieutenant Myers told me I was wanted in the house; I stepped into the passage, when I found one of the men I had stationed in the yard, he said *Major Barney, I have a message for you sir*—I interrupted him, and said, I did not place you in the yard to carry messages sir; go to your post, I will not hear you—go to your post sir, and then I'll talk to you, but don't let me find you off your post again; I took hold of his coat and pushed him on; I was following him through the house when, in the back room, I met Mr. Hanson, General Lee was also there. Mr. Hanson accosted me thus—*Major Barney, what is the meaning of all this sir? what are your orders?* Nothing

derogatory to you sir, nothing but for your safety, but I will otherwise to deceive the mob. He asked me why I did not disperse the mob; I told him that I had no orders to that effect, and at any rate my force was small, there was not a single pistol among all my men. He *appeared* satisfied, I turned to Gen. Lee, and asked if he could give me a drink, some person on the stairs invited me up, saying they would give me a drink there—I declined going—General Lee pointed to a cup-board where there was a yellow pitcher, and said there was water in that, and was accompanying me across the room, when I begged he would not, for, said I, if the mob see us together they will swear I am leagued with you, and there will be the devil to pay—there was no water in the pitcher. I expressed to General Lee my regrets that I should have at any time felt myself obliged to speak harshly of those in the house, but that I was placed in a very awkward and delicate situation, that there was much responsibility attached to me, and hoped it might not be interpreted to any prejudice, or words to that effect.—He said, *certainly not sir; I know your situation, it is a delicate one; I am sure you are doing all you can, and rest assured that nothing that you may have said will operate against you*, or words to that effect. I went out of the house, some one of the mob brought me a drink of very strong grog—I felt almost exhausted, but I tasted very little of it. An English sailor, who I have before noticed, and with whom I had had some little talk, enough to learn that he had deserted from some British ship of war, came up to me; he said, *please your honor, Mr. Major, I am come from the gun forward there, to know if you will not permit us to salute the garrison, they are waiting for it, and I am sure they will be disappointed if we don't give them a gun, just one gun, sir, if you please, just by way of a morning gun sir*. I told him it should not be fired; he then said, *I might carry the message myself, for by God he would not*. Day breaking, I found myself disappointed in the people not retiring, but on the contrary their numbers increased, and their clamours in proportion. I went again to General Stricker's, under the pretence, as expressed to them, of getting orders and hastening the civil authority; they promised they would not fire while I was away. I went up to the General's, he appeared dissatisfied at my coming away, and for some time requested me to return, saying he felt easy so long as I remained with the mob, but that he was fearful something would happen while I was away, and *ordered my immediate return*; at the same moment a cry from the mob of fire, clear the way for the gun, fire! I ran down with as much speed as I was master of, crying halt, don't fire! I got there at the moment they were about to clap the match to the powder, and again threw myself before the gun, asked them what they were about, if they meant to kill their friends who were stationed as a guard? they said *they had not intended firing, but that the murder-*

ers had come to the windows to fire upon them, and that they had logs of wood in all the upper windows, ready to throw down, that there was a large log of wood in the garret window ready to fall, and if it did fall, by God they would fire and blow them to the devil. I got on the gun, turned myself towards the house, put up my hands, and as loud as I could, begged they would not fire, that the gun should not be fired; those at the second story windows appeared ready to fire; my men at the lower windows retreated into the room. I got the mob to listen to me, said that I would go and prevent those in the house from firing—jump'd off the gun, and went in front of the house, and begged them for God's sake not to fire, and to remove the wood from the windows. I don't know that they heard me, they however retired from the windows, and the wood was removed, except one log before noticed in the garret window. I went into the house, and requested that some one would go up and remove that log—it was promised, but was not done; the mob again threatened to fire, and I again went into the house, asked for Mr. Hanson, he came to the head of the stairs—I begged he would have the log removed, he said it should be, and it was immediately done. The mob became quiet. The reason of the last mentioned uproar was, that some one of the mob had got into one of the lower windows, when the guard immediately pitched him into the street, those at a distance from the window thought it one of Mr. Hanson's party who had jump'd out, and rushed forward to seize him, those in the house thought the mob had got one of their friends, and were determined to protect him, and ran to the upper windows to fire upon the mob, while those at the gun thought the attack was making by those in the house, prepared to fire upon the house. *This was my impression.* The mob being quiet, I went up to General Stricker's again, previously requesting Captain Stevenson to keep near the gun; it was near sun rise. Some magistrates had collected before his door, the Mayor had not been sent for, no one could get a horse. Captain Stevenson was required to send for Mr. Johnson, and immediately two of the Hussars passed us at a gallop, one of them was a Mr. Gill son to the notary of that name in Baltimore; after a little time I returned to the mob, nothing material occurring then to need my immediate presence, and after I had assured them that the civil officers were collecting, and that they were only waiting for the Mayor, I returned to General Stricker's; he desired I would go round to Hanover-street and hurry Colonel Small with the infantry; just as I was leaving the General, Captain Stevenson came up and said "*if any thing is to be done it must be done quickly.*" Upon getting into Hanover-street, I found that the infantry had marched, I followed them down the street to Pratt street, there were then about twenty-five or thirty, as near as I can recollect; they were detained there for some time waiting for others to join them. I returned to Gene-

ral Stricker's the same way I came (by Hanover-street.) Mr. Johnson had arrived, and with General Stricker and others, and gone down to the house occupied by Mr. Hanson. I went down, upon arriving near the gun, Gill and some others, told me that the General and Mayor had gone into the house, *and they were afraid had been made prisoners, and if so they would have them out, or would blow the house down.* I went to the house and passed up stairs. I saw many persons at the foot of and on the stairs with muskets in their hands. I went into the front room and called General Stricker aside, and asked him what detained him so long; that the mob were under the impression that he with those who entered the house with him were detained as prisoners or hostages; he said not at all, that they were making arrangements with the gentlemen for their leaving the house, which had been refused. I returned to the street, the mob appeared more desirous at this time to vent their rage upon those in the house than they had been at any time before, as they now thought they were taking bail for them, and said, *if so, they would settle the business at once, and again accused me of having deceived them, saying, they knew where to find me;* I again went up stairs, and asked Gen. Stricker if they were taking bail? *he said no, and asked why?* I told him that bail must not be taken there, for the mob would not only destroy those who were bailed, but those who went security, as well as those who took the bail. He said, *they would not be bailed.* I left him; a tall gentleman then addressed me, with, *Captain Barney, I have every confidence in you sir, and am sure if you undertake to accompany me out of the house, I shall get out in safety, at any rate I will bear all blame if you fail; I wish to leave the house, and am sure you can get me off safe.* He appeared very anxious; I told him that arrangements were then making for the protection from the house of all the persons in it, and that I was fearful of undertaking what he proposed, lest it might be discovered, and then there was no knowing what the consequences might be, and declined—these were the words used both by the gentleman and myself, as near as I can recollect them. In going down, I observed to the persons sitting on the stairs, you are devilish well armed at any rate; one of them replied, *yes sir.* I went into the street, and thence to Pratt-street, where Col. Small had formed his men into a hollow square. After a short time, he having procured a horse, requested me to lead the square, when we marched into Charles-street, and halted immediately in front of the house. I was ordered by the General (S.) who now came out, to form a lane from the house to the guard, and for that purpose I placed a Yager on each side of the door way, with orders to put their Bayonets into any one who attempted to molest the persons as they came out. Gill now came up and began crying, he appeared in great distress—I shook hands with him; he exclaimed, *now I'll see the murderers—now I'll see the*

damu'd tory that shot my friend Williams while we were standing together! Major Barney may I stand here sir? I won't say a word to any of them, nor will I do any thing that's wrong—these damu'd tories are now in the hands of the law and I am satisfied, but I know the one that shot Williams, he had a white hat on; I know him well. As soon as I heard him say the man who shot Williams had a white hat on, I ran into the house and up stairs, requesting that whoever had a white hat might change it, when finding that there were three or four with white hats, I said it was no matter. General Stricker now came out, he mounted a horse, and asked if there were any of the third Brigade there? The answer was, yes—then I command you to get your arms and fall in for the protection of those persons to gael. I don't know the answer. He then asked if there were any good citizens who respected the laws there, if so, that they would go into the hollow square, and risk their lives with himself and the Major in protecting the people in the house. The General then ordered me to mount my horse, and request as many persons as I could to repair with their muskets immediately to Charles-street, that the persons in the house did not deem the escort strong enough to protect them. I rode up Charles to Market-street, and down Market-street; I addressed every person I saw, among others Mr. William Gwinn; he was standing near Whelan and Laurison's door, in Market-street; I told him my orders—he said that he had no longer the command of a company, and that he had no influence. I told him to take a musket himself and go down; he said that he had none, and if he was to go, he would be treated as bad as they were, or words to that effect. I felt indignant, and turning my horse observed to Mr. Whelan, that when Federalists would not turn out to protect Federalists, they could not expect that Democrats would. I then saw and addressed myself to Thomas Warner, he said he would have nothing to do with it, that they had got themselves into a scrape and they might get out of it as they got in. I returned to Charles-street, when finding that the mob did not seem disposed to respect any one, I jumped off my horse, and made my way with some difficulty to the door. The Yagers had been withdrawn, and the mob pressing very much at the door and windows.

I got them to stand back and form a lane about three feet wide. Gail, as soon as General Stricker proposed that the most respectable citizens, and those who respected the laws, should go into the hollow square, said, now Major Barney, what shall I do? must I go and protect the very men who murdered my friend? I'll do whatever you tell me. I told him to go into the square, that he had behaved like a man all night, and that he must continue to act like one, and go into the square. Some one of the guard gave him a sword, he went into the square, and said, now lads, I will protect the murderers myself—they shall not be injured; and I tell you what, I'll kill any one of you who attempts to injure them—you are

all my friends, therefore I hope you'll mind me. Shortly after the lane was formed, General Stricker ordered me to withdraw the from the house and yard, and form them (the horse) in front and rear of the hollow square. I withdrew the guard, except one determined man in the front room, who I left to prevent the from getting into the house, and formed the horse as ordered. Shortly after the party came out, it was with the greatest difficulty I prevented the mob from seizing or striking some of the persons; I pricked several with my sword. Mr. Murray was struck, and he turned towards the man who struck him, and I think raised his hand to strike, but proceeded into the square. General Stricker collar'd one of the mob, told him if he attempted to molest any of the gentlemen, he would put him to death. The gentlemen being now within the square, they commenced their march; the mob and crowd were immense, and the former pressing on all sides upon the square, with the most dreadful imprecations, I could not get to my horse, and forcing my way I reached that part of the square where Mr. Hanson was; the whole force seemed to be directed towards him; I must have wounded several with my sword, for I had to use the point of it very frequently. Arrived in Market-street, I saw Doctor Lewis, he appeared furious, and came directly towards me; finding what sort of mood the Doctor was in, I addressed him in French, told him that they were prisoners, that if the law did not hang them, it would be time enough for him and his friends to take them in hands, but that the law must have its course. He seemed better satisfied, and said, *come my friends never mind, they will all be hang, never mind, let the law have its chance; we must let the law have its chance.* We proceeded—at South-street I got on my horse, and headed the escort. I ordered it to wheel to the left into Gay-street, but was told by Capt. Horton that the bridge was down—we proceeded over Market-street bridge, and then the cry was, *to the Point! to the Point! let's take them to the Point!* The mob were already leading to the right, and those on the left of the square pressing it over. We had not quite reached the street we were to turn down, but I gave the word to wheel to the left, being repeated by the different officers, and immediately obeyed by the head of the escort, decided the business. We went on until we had nearly got clear of the houses; there were many paving stones on a vacant lot, the mob began to collect them, and some were thrown into the square, one of Mr. Hanson's party was struck, and General Stricker received a violent blow on the breast. About or a little previous to this time, a boy, with a drum, was brought and commenced beating just behind me; I ordered him away, and rode after him; the mob began to threaten me; several got round him, and he continued to beat, but at some distance in front, until we reached the goal. (*there was no fife.*) When near the goal, the General ordered me to

form the cavalry on each flank of the hollow square, which was immediately done, and in my opinion at that time prevented the mob from attacking the infantry. As soon as Mr. Hanson and his friends were in the gaol, I dismissed the cavalry, and with Captain Stiles, and very many others, returned to town. I went to General Stricker's, and dismounting, proceeded to the house of Mr. Hanson, there were a great many people round and in it; I attempted to go up stairs, but was prevented by a man I did not know, who begged me not, saying, *he was endeavouring to save the furniture, which he expected would be all he would get for the damage done the house.* I told him that was my intention, and perhaps I could do as much as he could; he said, *very like, but that if I went up others would follow*—I returned to General Stricker's, who in a short time came. He thanked me for my conduct and exertions, and, almost sobbing, said, you have saved the lives of perhaps hundreds; my God! what would have been the consequences if you had not gone down. After breakfasting I went home intending to go to bed, it was about ten o'clock A. M. I however, changed my cloaths, and walked down town.

At about half past one I went to General Stricker's, he was then with Colonel Sterett, and one other person, not recollected. He had just given Colonel Sterett his orders relative to turning out the fifth regiment; as I entered, I heard the General say, *indeed I don't know, sir, what you had better do; if you do give them out, you must be very cautious whom you give them to, and to none that you can't rely upon, but perhaps you had better not serve any out at all*—this was nearly, if not exactly, what I heard relative to ball-cartridges. Col. S. and Capt. S. S. went away. I entreated the General not to order me out, that I was much fatigued, that my men who were out the night before were also much fatigued, and begged him to order out Col. Biays or Major Jackson; he said, *no, I know you must be fatigued, but you can manage the mob; they know you, and you can do more with them than any body else.* Finding I could not prevail upon him to issue orders to some other officer, and excuse me, I took the order marked 2, and went in search of Captain Stevenson, whom I did not find until three o'clock or after. Captain Herton could not be found until four o'clock, and my orders were to meet at five. At five o'clock, or very little after, I went to Gay-street—I found Colonel Sterett, Major Heath, mounted, and about thirty infantry; six or eight persons belonging to different troops had collected as volunteers, there was but one from my command. I rode through the town in every direction, in hopes to induce some of my men to turn out, but I saw none. I went to Gay-street again—there were many persons collected, some of whom expressed the greatest dissatisfaction at the appearance of the military; one man in particular declared, that if his Captain was to order him out he

would burn his uniform, for he would not disgrace it by turning out. I had some short conversation with Major Heath, in which it was our mutual opinion, that the military had better be dismissed, for the numbers were so small that their marching to the gaol would at once be a declaration to the mob that the body of military were in their favour. Major Heath, and myself, then rode a short distance up East-street. I asked him if he was satisfied with my conduct the preceding night; he replied, *that I was, and that I had behaved exactly as he could have wished.* I observed, that he had requested me to keep cool, &c. and that I had endeavoured to do so as much as possible; he again expressed his approbation of my conduct. We returned to Gay-street, where shortly after the military were dismissed. Major Calhoun came to me, told me he had orders to dismiss the infantry, and he took it for granted that a dismissal of the cavalry was also intended. There were then, I think, about ten, some without uniform or pistols. After thanking I dismissed them, and proceeded home, fully persuaded, from the information communicated by Major Calhoun, that there would be no necessity for the military that night. I remained at home the whole evening. About nine o'clock, I think it was, the fire bell rang, but in a different manner from what it was customary to do for fire. I went to the garret of my house, which stands in a high situation, and looked in every direction, but saw no light, nor did I hear any unusual noise; I suspected that there was another mob, and that the bell was rung as an alarm. I left the house to ascertain the fact; at the corner of Lexington and Howard-street I saw two or three persons, one of them Mr. Talbot Jones, who informed me that *Mr. Hanson, and his friends, were all murdered; that the mob had broke into the gaol, had tied them together by their necks, and had beat their brains out with clubs.* I felt horror struck; I proceeded down Lexington-street, and at Liberty-street I saw a man running towards me, apparently in the utmost terror; I knew him, it was Mr. Richards—I took him by the arm, told him he betrayed too much agitation; asked him how he escaped, which he could not answer further than *he did not know.* I asked him where he was going? he said to Mr. Coales; where I accompanied him. I advised him to leave there, and we went together to Mr. Joseph Cushing's, in the western precincts, where I left him after sending down to Mr. William Proud to get a horse for him. I then went home, and thence to General Strickers, and found him in the greatest state of anxiety and anguish.—I never saw a man more so. I related to him what I had heard; he was distressed more than I can describe. In about half an hour I left him, and proceeding homewards, was met by some acquaintances, principally Federal gentlemen, with whom I remained until perhaps twelve or one o'clock in the streets; we stopped every person we saw, and found from all accounts that

at least eight or ten had been killed, and were laying in a heap before the gaol door; the names of some were mentioned; Thompson, they said, had been tarred and feathered, and taken to the Point. This was distressing news. I went home, and about sun-rise next morning took my horse and went to the gaol—very many people were there, some whom I had seen in the mob the day before. I felt a conviction, and expressed it to several the day before, that the gaol could not be broken, and I examined minutely the back door by which it was said the mob entered; there were several deep marks on the upper pannel as if given by a sledge or axe. I turned the key in the lock, it acted with a spring and facility, the hasp was only loose, the door in every other respect uninjured. Seeing the marks of blood on the wall, the tattered and bloody remnants of cloathing, hats with the marks of heavy blows on them, one of them with blood in it, a coat which had been black laying in a corner, its sleeves turned inside out, which, with the cape, was clotted with blood; the print of a bloody hand upon the wall—I felt myself wound up to a pitch I had never before experienced, and exclaimed that the Gaoler ought to be hung, and repeated it very often, not only then, but after my return to town. I examined the pockets of the coat above mentioned, in one there was a red bandano unfolded, in the other a Federal Republican newspaper, and a half cravat, with the initials H. N. in a corner. A night or two after this, while setting at my own door, a man came and questioned me about what I had said relative to the gaoler; I had some trouble to convince him that any man who would give up keys, with which he was entrusted, ought to be punished; he went away, but I felt uneasy, and determined, that if but two persons stopped before my house, that I would mount my horse and leave town.

Before I quit the subject immediately connected with Charles-street, I will relate two or three circumstances which I had omitted. First. When I stationed the guard in the house in Charles-street, two magistrates went in before them, my orders were to let no one in or out, and in consequence the magistrates were detained till near sun-rise. Second. A man twice, during the night, came out of the corner house with a rifle, and was each time preparing to fire into the house of H. when I detected him, and he pledged himself not to attempt it again—he was a very good looking man, an American, perfectly sober, and at each time smiling—his rifle had been fired in my opinion before, for upon putting my finger into the bore it was blacked with burnt powder; he declared it had not been fired. Third. In answer to remonstrances of mine about the violence expressed by some of the mob on one occasion, I was shown in a neighbouring house the dead body of Doctor Gales, which was an object extremely irritating to the mob.

16th Answer. I did not know that any such attack was designed, nor had I any reason to believe it—nor do I know of any application to the Mayor, or civil or military authorities.

17th Answer. There were calls as I have already stated, and as my orders will prove, as well by whom, and upon whom, my orders speak for themselves; others I have been told are similar. I know of no verbal orders.

18th Answer. The orders issued by the military were generally disobeyed, and by the first troop of my squadron, as the letters from the Lieutenant and Cornet to the Captain will shew, and their reasons for their refusing to obey them; nor were my orders to the second troop of my squadron obeyed, the Captain's letter will shew why. The Brigadier-General has not ordered any investigation into the conduct of the refractory officers—he knows he has no right to investigate into the conduct of any officer of a less grade than a field-officer, 'tis his duty to inquire into the conduct of company-officers. Under that impression, I demanded an explanation of their conduct from my two captains, which produced their letters 3 and 4.

19th Answer. I have no knowledge that the attack of the house in Charles-street was the result of a digested plan.

20th Answer. Knows nothing about it.

21st Answer. I have already stated all I know relative to the gaol on the 28th July last.

22d Answer. I do know that the 5th regiment of Infantry was ordered out; that two troops of horse were ordered out, and that all the artillerists were ordered to hold themselves in readiness at their gun-houses for the protection of their pieces. The orders were issued by Gen. Stricker. They did not obey as before stated. Those who did obey, did not repair to the gaol. They were dismissed near sun-down by Major Calhoun, because there was no apparent occasion for their services, and on account of the smallness of their numbers.

23d Answer. I do know of the assemblage of a mob before the post-office, but don't know their views. On that day I was not ordered out with my squadron—Col. Biays was ordered out.—I lent the Mayor my horse and a sword; was at his house when Capt. Sterett's troop assembled there; was near the corner of St. Paul's Lane and Market-street; the horse formed in Market-st. The Mayor addressed the mob, required all good and peaceable citizens to retire. Some of the mob began to murmur, he told them that a mob had ruled the city long enough, that they must be put down, and that he would put them down or perish in the attempt. Col. Biays then ordered a man away, he made some answer which I did not hear. Biays said, then I'll take a fin of you; the man ran, and Capt. Sterett pursued him. A few minutes after, while standing in the crowd in front of the Bank of Baltimore, I heard the words, *charge that fellow!* when two or

three horsemen made a dash upon the foot pavement. I ran, as every body else did, and with several others, Robert Purviance among the rest, took refuge in an alley—there were a great many persons spectators, of respectability, and all retreated precipitately. The collection of persons and mob being now dispersed from the front of the Bank and entrance of St. Paul's Lane, I proceeded to the post-office; Gen. Stricker was there, the Mayor, and Col. Sterett; the Infantry were in columns of platoons, the head of which was in front of the post-office; guards were stationing at the different avenues leading to the post-office; many persons had collected on the foot pavement of the post-office, they were murmuring, and were ordered to be silent, or they would not be permitted to remain; they continued their noise, when Gen. Stricker ordered Lieut. Levering to detach a platoon and disperse them; the men observed, that they had as much right to remain there as any body else, and seemed disposed to stand their ground; but the platoon advancing at a charge, *the mob (as I conceived them a part of)* retreated; there were now but few persons exclusive of the military, near the post-office, and these respectable men. I went up into Mr. Burrall's room, and remained in and about his house and office nearly the whole night. I heard repeated alarms given, but they were generally without foundation—and I did hear that a part of the cavalry had driven a man by the name of Wooleslager from near the corner of Judge Scott's, but did not see it. The Infantry, at least those I saw, and who were near the post-office, remained on their arms all the time I was there—I never saw men behave better—they were the *Blues*, about sixty in number.—The next day the regiment of cavalry, the regiment of artillery, and a large body of infantry, were ordered out—I think we had 86 to 90 horse; the number of artillerists I am ignorant of; the infantry consisted as I believe of between three and four hundred, and were stationed in different streets and lanes leading to and in the neighbourhood of the post-office—the artillery in Howard-street—the horse paraded in Market-street, but were not stationary, they were marched in a body, wherever there was information given of a collection of people, but never met with any. At one o'clock they were dismissed except the chasseurs, but being ordered by Gen. Stricker to collect a sufficient number to turn out the next night, I induced thirty of them to volunteer, previous to their leaving the ground. Some persons then came from Old-Town, saying that the Captain of the Watch had told them that people were collecting in that neighbourhood, and threatened to take the Federal Republican out of the post-office, or to set it on fire. I was sent by Gen. Stricker with the chasseurs to ascertain the fact, and disperse them if I found it to be the case. On arriving at the Watch-House, I was informed by the Captain of the Watch, that every thing

was and had been perfectly quiet all night; that the story had originated the day before with some woman. I returned to the post-office, where I remained till after 3 o'clock, when I dismissed the troop and went home. The artillery was dismissed earlier, the infantry remained on duty. The next evening I again went as ordered to the protection of the post office, I had about 26 men—I formed in Market-street, opposite the entrance of St. Paul's Lane, and detached a file to patrol the upper part and western precincts of the city, and another the lower part and eastern precincts, including Fell's Point, with orders to return in half an hour and report to me; by this means I had information from every quarter of the city every half hour, which I regularly communicated to the persons at the post-office—Reports were, in every instance, favorable. The Mayor, Gen. Stricker, Major Calhoun, Lemuel Taylor, John Montgomery, and several others, were there almost during the whole time. I dismissed and went home about two o'clock. The infantry a short time after. The next night I volunteered to relieve Mr. Burrall, as did Lemuel Taylor and Mr. Montgomery; part of a troop under the command of Capt. Thompson turned out—they dismissed early—a detachment of infantry was also on duty. For some evenings after I regularly called at the post-office and remained till a late hour.

24th Answer. I was in Gay-street one afternoon—I saw two men come out of the Union Insurance Office, one of them I knew; Mr. Henry Courtenay came out after them, and joined the party I was with; he asked me if I knew them—I told him that I knew one of them, Gill, the man that had assisted me in Charles-street. He then said, they had called upon him to know something about a man of the name of Alexander Wiley, a porter to that office, who had been sent express a day or two after the Charles-street affair; that the people were of the impression that he had gone express to or for Hanson, and under that belief they had called to learn the fact;—he said that he had informed them, that Wiley had been sent to one of the watering-places to a Mr. Vance, and assured them of the fact, they had gone away apparently satisfied. I said that I would go after Gill and talk with him on the subject, and would try and find out what was contemplated to be done. I did so, and entered into conversation with Gill, and some other man; he said that he believed the people were, or would be satisfied; that at any rate he would do all in his power to prevent any thing taking place against Wiley. I left him, and returning met the Mayor, who had heard of the affair from Mr. Courtenay. I told him what had passed between myself and Gill, which did not appear to satisfy him—he left me, and went into Water-street, and stopped near the intersection of Frederick-street, where I saw him in conversation with one or two men; after

a short time he returned, and told me the intention of the people was to attack Wiley's house, and that the only way to prevent it was to collect a number of the most respectable citizens near the house, before the mob could collect, and requested me to see as many as I could. I set off to do so, and called upon a great number, all of which came. In about half an hour I returned, found a mob collecting; a man by the name of Baird was at first very noisy, but upon being reasoned with, he changed his tone, and, with Gill, was very instrumental in inducing the mob to disperse.

I was on duty at the gaol two or three nights by order of Gen. Stricker, when the mob threatened to take Mumma out. The first night, it is my opinion, the mob would have taken Mumma out had not the military appeared.

I was at the Mayor's house one evening, a large number of the most respectable of the citizens were collected there at his request for the purpose of preventing any riot that night, and it was proposed to dispatch parties in every direction to ascertain if all was quiet. Having my horse there, I said I would ride round myself in different parts of Old Town and eastern precincts, and to the Point, which would supercede the necessity of sending parties on foot to these quarters, and would be sooner done. It was acceded to generally, but I was advised not to go to the Point, "they were all quiet there."

26th, 27th, 28th Answers. I know nothing about them.

29th Answer. I do know that the 5th regiment commanded by Col. Sterett, is the strongest, best disciplined, and best equipped regiment belonging to the 3d Brigade.

(No. 1.)

To Major William Barney

Whereas, John Dougherty, and John F. Harris, Justices of the peace of the State of Maryland for Baltimore County, have certified to me, that they "*have good reason to believe that the peace and quiet of the State is likely to be endangered,*" and have recommended and required of me to order out a sufficient number of militia to preserve the peace and quiet of the City—Now, therefore, in obedience to the said requisition, you are hereby ordered forthwith to assemble the cavalry under your command, to preserve the peace and quiet of the State; and you are hereby strictly enjoined to execute the duties imposed upon you by this order, with firmness, but at the same time with humanity; and on no account to fire upon any citizen, or use any weapon, unless the life or property of some citizen should, in the opinion of some magistrate, be endangered, or unless you, or some

DEPOSITION OF

of the men under your command, should be attacked. Mr. David Fulton, a justice of the peace, will attend you.

JOHN STRICKER,
Brig. Gen. 3d Brigade, M. M.

27th July, 1812.

(No. 2.)

To Major Barney.

Whereas, Edward Johnson, John Scott, Job Smith and John F. Harris, justices of the peace of the State of Maryland for Baltimore County, have certified to me, "*that they have good reason to believe that the peace and quiet of the State is likely to be endangered.*" and have recommended and required of me to order out a sufficient number of the militia to preserve the peace and quiet of the State; Now, therefore, in obedience to the said requisition, you are hereby ordered forthwith to assemble the cavalry under your command, to preserve the peace and quiet of the State; and you are hereby strictly enjoined to execute the duties imposed upon you by this order with firmness, but at the same time with humanity, and on no account to fire upon any citizen, or use any weapon, unless the life or property of some citizen should, in the opinion of some magistrate, be endangered, or unless you, or some of the men under your command, should be attacked. Mr. Edward Johnson, Mayor of the City, and justice of the peace, will attend you.

JOHN STRICKER.
Brig. Gen. 3d Brigade, M. M.

Baltimore, 28th July, 1812.

Capt. George P. Stevenson.

SIR,

In answer to your note of this morning, I have to state, that on receipt of your order of the 28th ultimo, I called on several of the members of the Fells Point Light Dragoons, and notified them to muster agreeably thereto; they enquired what service was to be performed? I replied I could not exactly tell, but supposed it was to protect Hanson, and others, who were taken to the gaol from their castle in Charles-street that morning; to which they answered, (all of them to this effect) "that they were always ready and willing to meet the enemies of their country, and to sacrifice their lives in its defence, but that they never would turn out to protect traitors or disorganizers, and on the present occasion declined."

I am sir,

Your most ob't serv't,
JOHN HANNA.

18th August, 1812.

(No. 3.)

Major William B. Barney.

SIR,

I have received your note enquiring the reasons why the troop under my command did not parade on the 28th July in obedience to your orders.

I have passed your enquiry to my officers, to whom I issued my orders on the 28th July, and now hand you their original written answers.

Your obedient servant,

GEORGE P. STEVENSON, Capt.

Baltimore, August 24th, 1812.

Capt. George P. Stevenson.

SIR,

I beg leave to inform you, in answer to your enquiry of this morning, that on receipt of your order of the 28th ultimo, I notified several of the members of the Fells Point Light Dragoons, who unanimously refused to turn out, saying they never would protect traitors, but were always ready and willing to fight the enemies of their country.

I am respectfully, sir,

Your humble servant,

P. PEDIOGI, Cornet.

August 18th, 1812.

(No. 4.)

Major William B. Barney,

SIR,

Your order, with the orders of the Brigadier General inclosed, I received on the 28th July, 1812, at 4 o'clock, P. M. I immediately issued orders to the Maryland Chasseurs to assemble at 5 P. M. in front of the Theatre, and gave them to the Quarter Master Sergeant, he notified as many of the members as the time would admit of—Indisposition prevented me.

JAMES HORTON,

Capt. Maryland Chasseurs.

Baltimore, 21st August, 1812.

DEPOSITION
OF
JAMES P. HEATH.

JAMES P. HEATH, being first duly sworn, Saith.

Answer to the first Interrogatory by James P. Heath.

I was sitting at my house in company with Josiah Bayly and Jacob Wagner, esquires, when John Thompson came in and mentioned that a mob was demolishing the office of the Federal Republican. I immediately repaired to the place, where I saw a large assemblage of people, and apparently about eighty engaged in destroying the house. I mixed in with the mob for the purpose of recognizing some of them, but to my astonishment I saw no one engaged in the act that I recollected to have seen before. I then proceeded up Market-street, and on my way met Judge Scott coming down, calling upon every person he met to aid him to restore order in the city; two or three, with myself, followed him to the house; the Judge went among the mob, and said every thing he could to deter those who composed it from proceeding, but no attention was paid to what he said. Finding he could get no support, and the rioters paying no attention to what he said, he withdrew and went into Col. Hindman's; there I left him, and saw no more of him that night. I know of no other officer, either civil or military, who manifested the least inclination to suppress the riot; twenty cavalry could have dispersed them and prevented the destruction of the office.

Inter fifteenth. I was present on the 27th July when the attack was made on the house in Charles-street, from which the Federal Republican was issued. I was appointed by General H. Lee to the command of the lower story; his orders to me were not to fire until I was compelled for the preservation of the lives of those with me, and my own. I had the lights placed in the back room in the hearth, and kept my men there until my front windows were entirely destroyed; I then drew my men up in the entry, determined, should the door be forced, to fire on the assailants. I had not been long in this situation when I heard a fire from the second story, but no mischief being done, it appeared to stimulate them to greater violence. The door was forced about half past ten o'clock as I suppose, and a fire took place from the lower story—Mr. Hanson came twice to the head of the stair-case to offer me assistance from the second

story, for I had very few men. I informed him that I could defend the lower story with those I had; I then had the furniture below piled up in the entry. Gen. Lee came down stairs, and ordered me to take three or four of my men and fire on them from the wall in the alley, they having retreated from before the house, observing, I will take your command until your return. I immediately prepared to execute the order, and in endeavouring to do so, I was surrounded and cut off from the house. I received a blow on my left shoulder, which had very near brought me to the ground, but I recovered, and drew from my bosom a dirk, which I struck with in different directions, and must have wounded some of them, as there was blood on it. I soon mixed among the spectators, and the mob lost sight of me, though they kept up a great hue and cry of murder the damn'd tory, the traitor, murder him! I got to Light-Lane, where a Mr. Herbert recognized and came up to me. I stated to him the manner I was cut off from the house, and requested him to aid me in regaining it again; this he consented to do, and went repeatedly for that purpose; he would return and tell me it was impossible. We remained together for some time in the neighbourhood of the house, and then went up to Mr. Bordley's, where my family was, to convince them I was safe. We again returned, but could not get near the house; by this time the firing had ceased, Major Barney having arrived before the house, with his cavalry.

Interrogatories put by Mr. Donaldson, one of the Committee, to James P. Heath.

1st Inter. After the arrival and posting of Major Barney's horse, did you observe any further attempt at violence, such as throwing of stones at the house?

Answer. I did not see any violence attempted. I was at the corner of Pratt and Charles-streets, and from the great crowd of people, I was prevented from seeing what was going on.

2d Inter. Did the cannon arrive before you left the house?

Answer. To the best of my recollection it had.

3d Inter. Had Major Barney's troop arrived before you left the house?

Answer. It had not.

I applied to Judge Scott to know if he would admit the gentlemen who were in gaol to bail, he readily consented to do so; a number of the most wealthy and respectable men in the city came forward for that purpose, and after being collected at Judge Scott's house, the Mayor came in and objected to their being bailed, alleging, as I was informed, that a verdict of murder had been brought in against the prisoners.

JAMES P. HEATH.

DEPOSITION, &c.

In answer to Mr. Dorsey's Interrogatory.

Mr. Heath replies, that there were several pieces appeared in a paper called the Sun, edited by a man of the name of Wilson, in Baltimore, which said pieces were evidently intended to encourage the demolition of a paper called the Federal Republican by a mob. Mr. Heath recollects attending a meeting at the Mayor's office, where he stated it as a fact, that the temper and spirit of the publications in the Sun, were intended and calculated to encourage a mob, and that he would prove the fact, if the editor, who was then present, would produce his papers, which he, Wilson, declined to do.

The pieces above alluded to were published previous and after the attack made by the mob on the office of the Federal Republican at the corner of Gay and Second-streets.

JAMES P. HEATH.

December 24th, 1812.

DEPOSITION
OF
HENRY H. DUCKER.

HENRY H. DUCKER, being first duly sworn—

Answers to Interrogatories by Henry H. Ducker.

From the 1st to the 15th Interrogatory, the deponent has no personal knowledge.

Inter. 15th. I was present after an attack was made on the house in Charles-street in the city of Baltimore, on the 27th of July, which it was said the Federal Republican paper was issued from. In the early part of that day, when I arrived near the house in South Charles-street between 8 and 9 o'clock, I discovered a considerable number of men and boys attacking the house, in a most outrageous and violent manner, throwing of stones, breaking windows, and abusing the gentlemen in the house, by damning them for tories and enemies to their country, and they were determined to murder every one; this violence continued for some time. About ten o'clock, a Mr. Bigelow, I understood was his name, was very severely beaten near Ruxon's lane; I saw a crowd around him, and he was called Wagner for some time, until it was discovered to be the above mentioned Mr. Bigelow; he was taken in the Panharmonicon to save his life from these desperate persons; they followed him to the door of the Panharmonicon, for the purpose of getting him again. There was some firing from the house, which I supposed was blank cartridges, as it wounded no person. I saw no attempt to suppress that riotous collection. Capt. David Warfield, and myself, expressed our astonishment at the forbearance of the gentlemen in the house for not firing ball, after being so long and grossly insulted, and no aid offered them by the civil or military authority. There was shortly after some firing from the house, which I understood wounded some persons; I did not see them. I kept myself some distance from the house for some time. I thought the conduct of those outrageous persons would compel the gentlemen in the house to keep up the firing, as I saw no effort made by the civil or military authority to disperse them. I saw a dirty looking man there, who they called doctor, and frequently previous, hearing that Dr. Lewis was fond of being at the head of like disturbances, I thought it was him; but they called him Gale. He was one of the most riotous and leading assassins among them. As

well as I recollect, about 12 o'clock, I was going to pass the house to go towards Pratt-street; I heard some alarm given, they had got in the house. I had got very near the door of the house, when I heard a gun fired, and saw the man who had been called Gale falling from the door. Major Barney's troop was then in Market. On seeing this doctor, who I supposed was killed, fall, I immediately retreated for my own safety. Some little time after an alarm was given they had got Mr. Hoffman, and hanging him with a rope—I ran to where they said he was, and near the door I saw only one man, who I knew that was Marshal English. Hearing him previously express his dislike to that paper in such terms, I really thought he was a promoter, hearing him say they had no business there, and was not friends to their country, or in words to that effect. I observed to him, it was a pity to murder him. I don't recollect his reply, but was nothing favorable to saving him. I immediately ran up to tell Mr. Hoffman's brother, who I saw before up near where Mr. Barney's troop stood, the situation of his brother, and to prevail on Mr. Barney to go down and save lives. I did not see Mr. John nor George Hoffman, who I was in pursuit of, but told some person who told Major Barney the situation of Mr. Hoffman; he then moved down deliberately; I thought he was afraid to attempt to disperse them. When Major Barney and his troop had got there, I don't think there was more than twenty-five or thirty men—they ran in the alleys, and up the street, crying, there comes the horse, and appeared to be alarmed; but some came around Major Barney, and he told them he was their friend, not their enemy; some said he was going to save those damn'd Tories in the house; he replied no, he was as much their friend as the friend of those men in the house, and gave the mob his honour that not one should make his escape without being brought to account for his conduct, this appeared to satisfy them for a little time; the number then continued to increase. Mr. Barney appeared to associate with them in such a friendly manner, some of those persons appeared to be afraid of him at first, then appeared to treat his orders and him with contempt. This scene continued until morning. The cannon was brought but was not fired. I left the street about six or seven o'clock, saw nothing more.

Interrogatories put by Mr. Donaldson, one of the Committee, to Henry H. Ducker

1st Inter. Did you see Judge Scott, or Mr. Abell the magistrate, at the riot in Charles-street, or any other magistrate? If you did, what was their conduct?

Answer to first Inter. I do not know whether Mr. Scott or Mr. Abell was there—that I did not know either of them. I saw Mr. Fulton and Mr. Gourdon at the door after Mr. Barney

came down, and supposed that they were placed there with a view of preventing persons from entering the house.

2d Inter. When you communicated the intelligence that Mr. Hoffman was in danger of being murdered to a person who you think told it to Major Barney, did not Major Barney at once order the troop to move?

Answer to second Inter. That he did not at once move immediately to the house in Charles-street; the troop did not move until between 5 and 15 minutes after the information was communicated.

3d Inter. What disposition of his force did Major Barney make upon his arrival in Charles-street? Did he not post his men in front of the house, in order to protect it? Was there any attempt at violence after his arrival and posting his men?

Answer to third Inter. When he arrived at the house his men were marched in front of the house, but whether Major Barney, or the Captains, gave the orders, I am not certain; that I saw no particular attempt of violence, but an increase of the mob, except the planting the cannon before the house, and the attempt to fire by persons to me unknown.

4th Inter. At what time was the squadron assembled?

Answer to fourth Inter. When I first saw the squadron in Market-street it was about 12 o'clock.

5th Inter. Did you see Mr. Johnson, Gen. Stricker, or Mr. Montgomery, in Charles-street, on the night of the 27th, or morning of the 28th July.

Answer to fifth Inter. That I should not have known them had I have seen them.

DEPOSITION
OF
JOHN LEE POTTS.

JOHN LEE POTTS, being first duly sworn, answers as follows:

Answers of John Lee Potts to the several Interrogatories of the Committee of Grievances and Courts of Justice.

To the first Inter. I knew nothing of the destruction of the Federal Republican until the next day.

To the 2d, 3d, 4th, 5th, and 6th, I have no knowledge.

To the 7th, I have been informed, the house was under a rent of 400 dollars.

To the 8th, 9th, 10th, 11th, and 12th, no information.

To the thirteenth Inter. I know nothing but from rumour.

To the fifteenth Inter. On the 27th July last, about 8 o'clock in the evening, when opposite Gen. Stricker's, I first heard the breaking of glass in the house. The forbearance of the gentlemen in the house surprised myself, and was observed by many bystanders. About 9 o'clock, Mr. Rufus Bigelow was seized by the mob, and after being much beaten, was carried into Mallet's Assembly Room. After the door of the Assembly Room was closed, a man, called Dr. Gales, addressed the mob in the street, denouncing the gentlemen in the house as Tories, traitors, and enemies to their country. The effect of his address was to increase the fury of the mob against the men in the house. Soon after Gales made his speech, I was informed he was shot. There was obvious difficulty in getting the magistrates to do their duty. Gen. Stricker, when I saw him, always appeared in his citizen's dress only. Stricker called on the numbers of the 3d brigade to assist in suppressing the riots. When the mob returned from the Point with a reinforcement, a number of persons attempted to stop their passage to the house; William Balzell, and myself, had nearly succeeded in rescuing a musketeer from one of the mob, when Capt. David Warfield observed there was no use in getting it, as he had with others succeeded in getting one from the mob, and Stricker observed to him he had as well burn it. Next morning, I was summoned from my bed as one of the guard, to conduct the gentlemen to the gaol. I assembled, with others, at Gadsby's corner, when inquiry was made of Capt. Warfield, whether we were to load with ball, he answered, he had no such orders, those who had ball loaded; I had none. About thirty of us marched to the

house, where we were detained until about 8 o'clock, during which time Gen. Stricker, and the Mayor, appeared to be negotiators between the mob and the gentlemen in the house, as to the terms on which they should be conducted to gaol. This proposition, not agreeable to the mob, was not insisted on—Gen. Stricker proposed they should go in carriages, when the mob immediately called for carts, and the carriages no longer insisted on. Such was the fury of the mob, that we felt equal apprehension for our own safety, and for that of the gentlemen we were to guard, believing, as we did, the mob knew we had empty muskets. As for myself, being in the front file, my apprehensions were not quieted until I discovered some of the popular characters intended marching in our front. During our march, the most opprobrious epithets were bestowed on the gentlemen, frequent calls were made on the Republicans of the day to attack us in the street, by an Irishman walking in our front. Jarret Bull, a city officer, proposed marching to the Point, and I then believed they would have gone, had not some of the guard shewn a determination not to follow. When we got near the gaol, several stones were thrown by the mob, and one of the gentlemen much injured. Immediately after this, Capt. Stiles appeared in our front, and seemed much pleased with the scene; and, to complete it, called for the rogues march often. The gentlemen were lodged in the gaol—the guard returned to town and were dismissed. In the evening of the attack on the gaol, I left town in company with Mr. Zollickoffer, who was much injured by the mob the night before. I saw and can relate nothing more.

Interrogatory put by Mr. Donaldson, one of the Committee, to John Lee Potts.

Inter. Did you observe the conduct of Gen. Stricker and Mr. Johnson before the house in Charles-street where the escort was about to be formed? Did they not appear to you to be active in pacifying the populace and in providing for the security of the persons who were about to be conducted to gaol?

Answer. I did observe Stricker and Johnson active, while we were before the door, and believe they endeavoured to pacify the mob so as to make it safe to conduct the gentlemen to gaol.

DEPOSITION
OF
THOMAS RUSSELL.

THOMAS RUSSELL, being first duly sworn—

In answer to the Interrogatory on the part of the Committee, this deponent saith, that acting as adjutant to the regiment of artillery commanded by Colonel Harris, of the City of Baltimore—on the 28th July, Colonel Harris and himself were informed about half past six o'clock on that evening, that General Stricker had issued orders to dismiss the military. The Col. not having received any official order from General Stricker on the subject, and not placing any confidence in the report, asked this deponent if he would accompany him to the gaol, where he expected to see the General, to ascertain the correctness of it. When we arrived there, we found General Stricker in an enclosure near the gaol; as soon as the General observed Col. Harris he advanced towards him, and at some distance off, informed the Colonel he might dismiss his men, as the people appeared peaceful, and he thought there was no danger to be apprehended. When we reached the spot where the General was standing, Colonel Harris told him, that he had understood, orders had been issued by him to dismiss all the military; the General told him it was true. The attention of General Stricker was attracted at this moment by some noise, and he remarked to Colonel Harris, he was sorry to see Mr. Russell here in uniform, for that there were some persons about the gaol who might injure him. Before this deponent had an opportunity to express his surprise to General Stricker that one of his officers should incur any risque by appearing before him in uniform, he was accosted by Mr. G. Stevenson, and told that if he did not wish to be torn into pieces he had better leave the ground. This deponent at the same time, observed many persons coming to the place where he was standing, thought it most prudent to take Mr. Stevenson's advice, and accordingly left the gaol, and waited at some distance from the gaol, till I was joined by Col. Harris, of whom I inquired if General Stricker was still of the same opinion; he informed me the General was. The Colonel then requested me if I would go to the Point and dismiss Capt. McLaughlin's company. In pursuance of this request I proceeded to the Point, and when I reached Bond-street, I inquired of some man whom I met if he could inform me where the cap. g.

house was. While I was making the inquiry, two or three persons observing a man in uniform stopped, and one of them asked what I wanted on the Point—I told him my object, when he remarked there was no necessity to find the gun house, as none of Capt. McLaughlin's men would turn out to defend tories. During this conversation a number of persons came up, and appeared to be very much disposed to injure me, and the deponent thinks they would have done so, if he had not appealed to a gentleman, and solicited his protection, which he humanely afforded, and gave me an opportunity to make my escape.

This deponent saith, that Colonel Harris was not in uniform.

This deponent saith, that he believes there were about eighty men attached to the regiment who turned out on the twenty-eighth. The orders issued by the Colonel to his officers were, that they should assemble at their gun houses to protect their guns, and support the civil authority, if required.

DEPOSITION
OF
Dr. JOHN OWEN.

DR. JOHN OWEN, being first duly sworn, saith--

1st and 2d. I went into Gay-street where the Federal Republican Office was destroyed, about 10 p. m. at which time the House was in chief destroyed; all efforts to disperse the populace had ceased.

3d and 4th. It seemed to be difficult to estimate the number of persons engaged in destroying the Federal Republican Office, being so intermingled with spectators, although a double line appeared to be formed round those working on the building—I calculated them at two to three hundred. Mr. Andrew Boyd and myself were engaged in ascertaining their ulterior views, and I recognised only one foreigner distinctly among them we addressed.

5th and 6th. I know nothing personally in relation to them.

7th. I am no judge of the value of property; the house, perhaps, was hardly worth pulling down.

8th. At the close of the demolition of the office, the crowd turned under three or four leaders to the office of Discount, directly opposite, and demanded Mr. Wagner from that house.—Mr. Boyd and myself anticipating this movement, addressed them from the steps, and prevailed on them at length not to search the house, that Mr. Wagner was not there. I know of no other pursuit of the editors personally.

9th, 10th, 11th, 12th, 13th, 14th. I know nothing of them personally.

15th. I was near the house attacked in Charles-st. but a short time, entered with Williams, desperately wounded, in attendance on him. I noticed Major Barney forming a troop in the street; on marching he addressed them, I think *verbatim*, I am sure in substance, thus—"men, you will not draw your swords until ordered by me, or until you are attacked; and when drawn you will use them with effect." My further knowledge on this Interrogatory cannot be worth detailing here.

16th, 17th, 18th, 19th, 20th. I have no personal knowledge of any thing particular relative to them.

21st. I arrived at the gaol after the bodies had been replaced in the room of their confinement, previous to the attack on them, of course, I presume, ignorant of what this *quest* refers to.

22d. I knew that the 5th regiment M. M. of which I am

surgeon, was ordered out to protect the gaol, if necessary, on the 28th July last, and held myself bound and in readiness to attend it; but on walking towards our parade, and observing the very small turn-out, I concluded they would not march very soon; and before this impression was altered, I heard the men who had turned out were dismissed. It was a general impression, as far as my knowledge extended, that the object of the crowd about the gaol was to prevent the escape of the prisoners—I had my fears of the contrary, and kept myself in readiness, and did turn out instantly on the ringing of the bell, in pursuance of an order on the 5th regiment to that effect. To my utter astonishment I found not an individual in uniform, at our usual parade—On reflection, I conceived it would have been madness in the few who had turned out, to undertake the defence of the gaol. It was assigned as a reason why the turn out was so thin, that the men were ordered out without ball cartridges; this may have influenced, and no doubt did influence some; in my opinion, the great mass, by irritation against the prisoners, very many by a sense of danger and loss to their families, and no small number seemed to think it was not their business, that it was sufficient for them to stand still and find fault; I heard an officer of one of our strongest companies say, he would call on the men, if ordered, but he thought it doubtful which side he would join, or expressions to that effect.

23d. I was on duty with the 5th regiment at the post-office; the number who menaced it appeared very trivial in comparison to former assemblages of the same kind, yet they showed some disposition to press by the military, at which they were addressed by Judge and the Mayor. It seemed to be the general impression of all the Field and Staff officers present, that persuasions should be tried—under this impression, and conceiving I knew their leader by intercourse with him at the gaol—I urged him to wait for the Report of the Committee, by consent of my Colonel; they appeared to moderate a little in their tone, and at this time the horse were advanced on them and pressed them down the street; they did not return.

24th. I have given evidence on the trials of individuals in Baltimore and Annapolis, which I consider unnecessary to state here farther than the Interrogatories require.

I know of no misconduct on the part of the officers, civil or military, through these trying scenes; on the contrary, in all the duties in which I saw the Brigadier, the Mayor, the Brigade-Major, Col. Sterett, and Maj. Barney, engaged, they appeared to me actuated by an honourable zeal, and sincere desire to save the loss of lives, to put an end to the tumults as speedily as possible, and to bring the offenders to punishment. I heard, while on duty with the 5th regiment, both the Mayor and General Stricker speak in the strongest terms of reproach of the persons engag-

DEPOSITION OF

ed in the tumults, and calculating on the necessity of their being made to feel the military power.—In fine, their whole conduct and language fully convinces me that nothing was more foreign to their intentions, than to countenance or connive at any of the atrocities alluded to in the Interrogatories. I do therefore, on my oath, believe them incapable of harbouring such intentions, and totally undeserving the foul stigmas hitherto attempted to be cast on their characters.

JOHN OWEN.

Further statement of occurrences at the gaol under Interrogatory No. 21.

After the attack on the gaol, it was reported that a number of the prisoners were killed, and about the same time several persons called at my house requesting me to visit the gaol, stating that it was believed that a number of the supposed dead might be recovered with medical aid. I instantly rode to the gaol, when I found nine persons dreadfully cut and bruised, most of them senseless, and one dead. Some Physicians who were in the room retired soon after I entered, except Dr. Mercer, who staid about half an hour. In about an hour I remained alone in the room, and assisting the wounded with drink, &c. and keeping them from rolling over one another, when Mr. Hanson addressed me by name, stating his impression that he would not be allowed to live till morning if he continued in the gaol, and begged to know if no means could be devised for his escape. I offered him every assistance in my power, and would at once proceed with him in any manner he would propose, and suggested that the hazard of the escape might be greater than his stay—he insisted on the contrary, and preferred any risk to staying. I then sounded the leading persons of those of the mob who remained in the house as to permitting those desperate wounded to be removed, they rejected every persuasive with anger and strong threats against any person who would attempt to extricate them; they would allow them every medical aid in the house, but swore Hanson should be killed, and those alive in the morning tarred and feathered; they would allow Hanson to escape to be revenged on the person who would rescue him, and spoke with indignation of his having suffered less than others, and finally assured me there was a guard round the gaol to intercept any persons passing out. I then consulted Bently, the gaoler, for a permission to pass through the doors any of the prisoners; he alledged his want of authority, but was willing to assist in his private capacity. I returned to the room (where to my impression the prisoners were alone) and stated the obstacle to Hanson, to which he replied, as I had already done in part to Bently, that the breaking of the gaol extinguished his authority over the prisoners. He agreed to go to town to consult the

Sheriff, and leave a person in charge of the gaol, with men in whom I might place confidence; the three held a long consultation—Bently departed, and soon after he had gone, Griffin, the third man, and myself, agreed to try and pass Hanson through the mob, they appearing very thin at that time.

On returning to the room (still in my impression the prisoners being alone) Griffin and myself on trial found Hanson incapable of walking across the floor—we charged him with raw rum, and proceeded through the house and down to the Falls, the persons inside the house being engaged in the gaoler's room, and those outside, say five or six, advanced briskly towards us before we had proceeded twenty paces from the front door. I advised then, Mr. J. E. Hall who had joined us, to pass slowly up the Falls, and left Griffin to pass Hanson along, while I advanced towards the persons approaching us to divert their attention from the rest. They were for a moment or two only thus arrested, some returned with me to the gaol, and others looked over the sewer bank under which Hanson was concealed, without seeing him; they here repeated with great violence their former threats to me.

After our return to the gaol I renewed my applications for those desperately wounded to be taken out; some physicians, some other persons, and the sheriff, had now came out and joined in vain in this application, but managed so to engage the mob (who had now become more careless learning that Hanson had escaped) while a carriage was drove to the door under pretext of conveying physicians to town, three more of the prisoners were carried off—Musgrove, &c. remained. Some of the mob disappeared, and those remaining were prevailed on by Mumma and myself to go into the room, and say if they would require any further revenge of men in that condition; they agreed, still under much irritation, to give them up, provided we would take Lingan with them to the hospital, where they assured us they should not be molested. Two strangers to me assisted in conveying them to the hospital, where I left them after sun-rise. While in the room with them, sarcastical and abusive remarks were made about their foreign dress, Virginia boots, Montgomery coats, Patriots, &c. Mumma said they had been beat enough to satisfy the devil, &c. and assisted in the sewing on General Lee's nose, and in lifting them to the carriage, which the others refused; the reasons assigned for all this conduct was the killing the people in Charles-street, the certainty that they would escape from the gaol untry'd and unpunished.

They shewed no disposition to withhold from them any medical or other assistance, and spoke always of killing Hanson, and tarring and feathering the rest.

Answer to written Interrogatories.

First. There appeared to me a double line round those at work on the office, I supposed to guard them; yet they were much mixed with spectators, and allowed Boyd and myself to pass among them pretty readily; they appeared chiefly journeymen-like men, cleanly dressed.

Second. Soon after Boyd and myself arrived in Gay-street, a decent young man stepped up to us, and told us he knew that the leaders of that party intended searching the office for Mr. Wagner; they had formed this determination after they came on the ground, on information there received; he was so positive, that we inquired of him the particulars of the proposition, the persons, &c. he would only affirm it as a fact, and propose that we should engage two or three persons, like himself, (not like us) to jump on the steps as soon as they advanced to the house, and to call out that Wagner was not there; he said the party would consider such looking persons belonging to them, and abandon the project. Boyd and myself spent some time in the crowd, making inquiries to test the accuracy of this information, and thus I formed the opinions I have expressed of that meeting; they professed ignorance and disbelief of such intentions, and said there was no danger of any thing but the printing-office being disturbed. We had nearly been persuaded the man was mistaken, and gone home, when three or four persons were seen by me talking closely together, one or two raised their hands, calling, come on! the whole body advanced to the house; I rushed to the steps, where I met Boyd in the same course, from him I had separated but a few minutes, we harrangued the crowd with great warmth, alternately. I was carried from the steps a short distance, and instantly returned unhurt. We continued to pledge ourselves, as known republicans, and whose word of honour ought not to be treated with contempt, as impostors, &c. that Wagner was not in the house; that we had heard they were so informed, and examined into the truth of it. After a considerable time, say ten or fifteen minutes, those persons appearing as leaders, said they would take our word for it, and requested the company to go quietly home, which they appeared to do.

Mr. Sterett, the cashier, had been consulted in all these steps; it was proposed to send in a committee to which we objected.

Fourth. I understood Mr. Johnson to say in St. Paul's Lane, that the post-office was obliged to convey all newspapers; that as public property every one had a right to its use; that it was, and must be held sacred; that commercial and every other confidence would be destroyed by attacking it; that large sums of money were deposited there; that the Federal Republican was not sanctioned by the mass of Baltimore Federalists; that it would not be re-established; that it should not; he would draw

his sword against its re-establishment; those words were spoken in haste, at a most critical moment, the Mayor then having his hand on his pistol, and with a general understanding among the field-officers present, that persuasions might be used; the crowd was then pressing much, and most insolently, on the soldiery, and seemed as if they would sometimes pass the flank of the platoon.

This address, I had an impression, was made to the mob, I understand it was intended for the soldiery, to encourage them to do their duty, and Mr. Johnson holding his pistol, while in the holsters, and speaking, seems to indicate that; it is certain that the disposition of the soldiery was to be doubted, at least at first; some of them did express, in my hearing, an unwillingness to spill the blood of their fellow-citizens on account of the Federal Republican; and I can name an officer, Stephen Moore, who heard this when I did, and conversed with me on the subject; they said, however, they were willing to defend the public property. Colonel Sterett was on one side, and myself on the other, of Mr. Johnson, while he was speaking.

Fifth. General Stricker was walking before the door of the Chesapeake Insurance Office, in uniform, when I stated to him I was going to join the regiment; he said it was my duty, hoped the troops would turn out; I think he said he had ordered out the whole brigade to obtain an adequate force; that the crisis had arrived when the contest could be settled only by the military; that a severe example of its force, he thought, could alone secure tranquillity. I replied, that I hoped not, but would endeavor to do my duty. I heard General Stricker at the gaol, and at the post-office, speak with abhorrence of the violent and ferocious conduct of the persons engaged in the tumults. I cannot recollect the precise terms he used, but his language was very strong, and I have reason to believe, from my observation, that he was longer on duty than any other officer or detachment during the tumults.

In answer to the last Interrogatory, I never heard General Stricker say why he ordered out Colonel Sterett's regiment in preference to any other, but supposed it must have been done obviously because it is by far the strongest in the brigade, and has always stood highest in military reputation. Its members, too, consist more of men of property, and perhaps are more disposed than the members of any other regiment, to resist such transactions as they were called out to suppress.

JOHN OWEN.

DEPOSITION
OF
JOSEPH H. NICHOLSON.

JOSEPH H. NICHOLSON, being first duly sworn.

Interrogatories to the Honorable Joseph H. Nicholson.

First. Were you present at a town meeting held at the Mayor's office, agreeable to public notice, soon after the first riot in Gay-street? If you were, relate circumstantially what occurred at that meeting, and what was finally determined upon by the gentlemen present?

Second. Was any proposition at that time submitted to the meeting to arm for the suppression of any disturbances which might thereafter arise? State your knowledge thereof.

Third. What is your opinion, from all that has come to your knowledge, of the temper of Mr. Johnson in relation to the disturbances of the city? Did he appear to you remiss and inactive? Or did he appear animated by a sincere disposition to exert himself to preserve the tranquillity of the city?

Fourth. Have you any knowledge of any irritating conduct on the part of any person at the town meeting at which you were present, calculated to put a stop to that harmony of sentiment and action which ought to prevail on such an occasion? If you have, state the same particularly.

The answer of Joseph H. Nicholson, to certain Interrogatories propounded to him by the Committee of Grievances and Courts of Justice.

To the first Interrogatory this deponent says, that he does not recollect having been present at any town meeting at the Mayor's office convened by public notice. The only meeting held at the Mayor's office, at which this deponent was present, was a few days subsequent to the riot in Gay-street, when the office of the Federal Republican was pulled down. That this deponent attended said meeting in consequence of a note addressed to him by the Mayor requesting his attendance. That when this deponent entered the Mayor's office, he found about thirty gentlemen assembled, who were among the most respectable of the city, and of both of the political descriptions, generally known as Republicans and Federalists. It is impossible for this deponent to state every thing that occurred, as he has seldom thought on the subject since; but as well as

he can recollect, he thinks, that when he entered the room, the gentlemen who had arrived before him, were engaged in conversation, in small parties of from four to six or eight, as they could conveniently speak to each other from their chairs, as they were all sitting. The party which this deponent joined, one of whom only he now recollects, (Captain Sterett) were conversing on the propriety of arming the citizens, or some of them, to prevent riotous meetings. This deponent does not know whether such a proposition had been distinctly made, before his arrival, but he thinks that no such proposition was made afterwards. This deponent understood at the time that some such measure had been proposed by individuals a day or two before, and that articles of association had been signed by a few. This may probably have given rise to the conversation just alluded to, as well as to some observations from different persons who addressed the meeting afterwards.

The Mayor gave a detailed narrative of some disorderly proceedings which had taken place a night or two before, the object of which was said to be to tar and feather two persons who had used very offensive expressions. One was understood to have drank "the health of King George, and damnation to the Americans;" and the other to have said that "if the Americans invaded Canada he hoped the streets of Quebec might be paved with their bones."

The Mayor stated, that he had taken great pains to save the persons who had been sought for, and had succeeded; but that his efforts to disperse the meeting had been well nigh rendered abortive by some persons calling aloud that armed men were coming to oppose them. That as soon as this was heard, there was a general call "to arms," among the people, who declared that if arms were brought against them they too had arms and would use them. The Mayor assured them that no armed men were coming, and with some difficulty persuaded them that the report was unfounded. After convincing them of this, and of the impracticability of finding the persons sought, he proposed that they should disperse, and they did accordingly disperse quietly. He also gave it as his opinion, that there would be no farther disturbances, and concluded by expressing a hope, that the conduct which he had pursued would meet the approbation of those present. This deponent is not certain whether the Mayor made any observations on the subject of arming, but is rather inclined to believe that he advised against it, urging that arming on one side would produce an arming on the other, and that very disastrous consequences might ensue. An observation of this kind was made by more than one, and probably by the Mayor.

Several other persons addressed the meeting, whose remarks went to the approbation of the Mayor's conduct, and against the

302
of 243
500

DEPOSITION OF

propriety of arming. Captain Sterett spoke more at large than any other, and condemned, in very strong language, the expressions which had been ascribed to the two persons who had been the objects of popular indignation, as above stated. He spoke with the greatest abhorrence of tumultuous meetings, but declared, that if he had been present when these expressions were used, he would himself have "cut the rascals ears off." He was against arming, as he thought there would be no more disturbances, and expressed a belief that the riot in Gay-street might have been prevented if six or eight well disposed persons had been associated with him at its commencement. He said he had made an effort to disperse the few who had at first assembled, but was obliged to retire. He also expressed his warm approbation of the Mayor's conduct.

The general impression appeared to be against arming, so much so, that this deponent does not recollect that it was advocated by any one. The final determination was, as well as this deponent recollects, that the association above spoken of should be discontinued, that all should exert themselves to preserve the tranquillity of the city; and that the Mayor should issue a Proclamation, recommending obedience to the laws. During the whole time of the meeting, the most perfect harmony and good understanding prevailed; nothing occurred to disturb this, except a single circumstance, that took place about the close of the meeting, may be thought to bear that character. It will be stated in answer to the fourth interrogatory.

The second interrogatory is answered in the answer to the first.

In answer to the 3d Interrogatory this deponent says, that he does not remember to have seen or conversed with Mr. Johnson for some time before or after the riot in Gay-street, except at the meeting above stated. That this deponent was absent from the city during the greater part of the summer, visiting it only occasionally as his business required. That this deponent did not see Mr. Johnson during any of the riots in Baltimore, as he fortunately witnessed none of them, except a part of that in Gay-street. This he did not hear of till a late hour, and did not reach the place till the mischief was nearly completed. He understood that Mr. Johnson had been there, using his endeavors to disperse the people, but had been unsuccessful, and had retired. He had no opportunity of conversing with Mr. Johnson until about the sixth of August, having returned to the city on the fifth. In a conversation held with Mr. Johnson on the sixth, and on several subsequent days, he expressed himself to this deponent with great freedom. It is from a recollection of these conversations, from the part which Mr. Johnson acted in the meeting above mentioned, and from the high and unspotted character which he has always borne, that the opinion is formed

which has been asked of this deponent, and which would not have been offered but at the request of the committee—In answer, therefore, to the third interrogatory, this deponent states, that as far as came to his knowledge, Mr. Johnson did not “appear to him to be remiss and inactive, but that he did appear animated by a sincere disposition to exert himself to preserve the tranquillity of the city.”

In answer to the fourth Interrogatory this deponent says, that when the meeting above spoken of was about to close, this deponent rose and addressed the meeting, recommending it as a matter of no ordinary importance that the gentlemen present should advise their friends, of both political parties, to be temperate in their expressions towards each other. That this deponent was induced to do so, from having heard that one person had publicly charged the riot in Gay-street to the leading democrats of the city, and had declared that he had singled out his man, from whom he would have satisfaction. That such expressions were highly improper, and ought not to be used, lest they might produce recrimination, and thereby lead to those very consequences which we were all desirous of avoiding. When this deponent sat down, a certain James P. Heath, who had a short time before come to the door of the Mayor's office, and had been standing there; stepped into the room with some appearance of warmth, and demanded of the Mayor protection for his person and property. He said he had been threatened with violence, and had been obliged to leave his house—That if he could not procure protection from the civil authority, he would arm himself, and his friends, to protect him. That if he was the person to whom this deponent alluded, he had said that he should the Mayor responsible to him in case of violence, or words to that effect, and added much more which this deponent does not recollect. This deponent stated, that the said Heath was the person alluded to, and again condemned the use of the expressions, as tending to produce unnecessary warmth and bickerings. The said Heath again spoke with considerable warmth, and concluded by saying, that if any person was dissatisfied with any thing he had said or done, he was ready to give them satisfaction. The latter expression was not entirely understood by this deponent, but it was not deemed of sufficient importance to ask an explanation, as if it was intended as a challenge to this deponent he certainly did not mean to accept it; if for another, he did not think proper to become the channel of communication. After some observations from two or three of the persons present, uniting with this deponent in the recommendation which he had offered, and assuring Mr. Heath that he would be in no danger, unless brought on by his own violence, the meeting closed as above stated. This is the only instance of “any irritating conduct on the part of any person at the town meeting,

calculated to put a stop to that harmony of sentiment and action which ought to prevail on such an occasion," that came to the knowledge of this deponent. This deponent believes, however, that no irritation was excited, as none was expressed.

JOSEPH H. NICHOLSON.

December 21, 1812.

DEPOSITION

OF

MIDDLETON B. MAGRUDER.

MIDDLETON B. MAGRUDER, being first duly sworn—

On Monday evening the 27th July last, at about sun-set, I left home, with an intention of visiting the Panharmonicon in a house South Charles-street. On my arrival at the house, my attention was arrested by a noise proceeding from some mean looking boys who were shouting, and very riotous, in consequence of a carriage having stopped before a large three story brick house, nearly opposite to Uhler's alley, which contained muskets, &c. where several men were standing looking on, and apparently approving the proceedings of those immediately round the carriage, who were chiefly boys.

The number, both men and boys, very soon considerably increased, and perhaps, as many as thirty men were actively employed in riotous threatening exclamations and shouts.

At about half past eight o'clock they commenced the execution of their threats, by pouring into the house a volley of stones, which continued, at intervals, for several hours. Shortly after the attack with stones and brick-bats commenced, a number of men from Uhler's alley and Ruxton lane, came forward into the street, and mixing with the crowd, the stones and brick-bats considerably increased, and as the masses of glass, &c. fell, it was followed by huzzas from the mob. The glass, sashes and shutters, were demolished, and after several of the pannels of the door were broken in, the door itself was finally broken down.

During this impetuous attack on the house, and perhaps half an hour after its violent commencement, a person, who I have since understood to be Mr. Alexander C. Hansen, hailed the mob from one of the windows, requesting them to desist, and go away, else they would be fired on—This seemed but to increase their fury, and the volley of stones, &c. continued, with occasional intervals, until the windows, &c. as has been mentioned, were demolished. During the whole of this scene, I saw no endeavors made by any of the civil authority to restrain or disperse the mob.

Between nine and ten o'clock a person came out of the house, and was immediately pursued by the mob. It was said to be Mr. James P. Heath. He taking refuge in the Panharmonicon house, it was ascertained to be Mr. Rufus Bigelow; he was a

DEPOSITION OF

little injured. While a considerable crowd assembled before this house, in consequence of Mr. Bigelow having entered it, a man came up to the door, *and close to me*, full of rage and fury, without a hat, cursing and swearing, that he would be damned if he did not get the tory. That he would teach them who assumed the name of Washington, that he was a true Washingtonian, that he had fought for his country, and such other similar language.

My attention being very particularly called to him, upon inquiry I was informed that his name was Doctor Gales. The doctor then called on the men to follow him; they marched back to the house with increased numbers, and commenced another attack on it with still greater violence. This caused several guns to be fired from the second story of the house, which I believe did no damage.

The number at this time in the street, it being between eleven and twelve o'clock, might have been between five and six hundred, and the number of mob men, of those actively employed, about one hundred. Several persons about this time came out of the house, having been, as I have since been informed, sent by General Lee to procure the aid of the military or civil authority.

These persons were immediately pursued, some were caught and much beaten, and escaped with their lives with great difficulty. In consequence of another attack on the house, several guns were again fired, and a man by the name of Williams was wounded; he is since dead.

Being much alarmed at the very serious aspect of things, I left the crowd for a short time; but returned on being informed that two of the Mr. Hoffman's, and several others of my friends and acquaintances, were in the house with Mr. Hanson. On my return I went to the south side of Hanson's house in Charles-street, and while there, there was a fire of several guns from the house. The mob became still more furious, and with Doctor Gales at the head, and a drum beating, they rallied. Doct. Gales told them to come on, and follow him, he would enter the house, and marching up, whilst on the *sill* of the door, in the very act of entering, to force his way through the house, he received a mortal wound, and fell outside of the door; he lay on the pavement close to the door for a very short time, and was then carried away by the mob.

I then went up to General Stricker's and remained before his door for a considerable time, when I was informed that Mr. Samuel Hoffman was taken by the mob. On arriving at the spot where the mob still had him, I found him dreadfully wounded and beaten, and was informed that they had endeavored to hang him, and some to shoot him, but the pistol being locked could not be made to fire. Mr. Hoffman was finally put into the

watch-house, between the hours of twelve and one o'clock; several of his friends, and I, went to the watch-house, where we found him lying on a bench, weltering in his blood, and much disfigured—we demanded him of the captain of the watch, he refused to deliver him, unless by virtue of an order from Judge Scott; he said he had promised the mob to keep him till four o'clock, when the mob intended returning for to hang him. An order having been obtained, we succeeded in removing him a few minutes before four o'clock.

I returned to Charles-street house, and found that the mob had a cannon, and were preparing to fire it when Major Barney's troop arrived.

At sun-rise the number of people had very much increased, there being at least 2,000, and perhaps two thirds of these either actively employed, or sanctioning and approbating those who were. I found it most prudent to be silent. At about eight o'clock the gentlemen in the house capitulated, and were marched to prison, to which place I accompanied them. Between eleven and twelve o'clock I returned to the house in Charles-street, which was filled with men laboriously employed in demolishing the doors, closets, mantle pieces, &c. and throwing the furniture out of the windows. This scene of outrage and brutal fury continued without interruption.

About sun-set thirty or forty of those men marched in procession from the house, as is supposed, for the gaol, and about an hour after the alarm bell rang. Between nine and ten I arrived at the gaol; but after the gaol had been broken open, I there witnessed a most horrid scene. The number of the mob did not exceed three or four hundred when I arrived. When I reached the gaol, they were throwing the dead bodies in a heap, a few steps from the gaol door. Being somewhat disguised, and in search of a friend, I turned over one or two bodies that were lying together, was supposed, by me, to be dead, and whilst thus employed, a man, who recognized me, pulled me by the coat, and said that if I should be discovered I was not safe—he advised me to go away immediately, saying that I could do no good there; I took his advice, and left this scene of blood and horror.

During my stay at the gaol I saw no magistrate (except Mr. J. Aisquith) constable, or any officer, civil or military.

As to the question, whether the attack on the Charles-street house was the result of any digested plan, I can answer nothing; I can only say, that during the interval between the demolishing of the Gay-street office and Mr. Hanson's return to Charles-street, it was the general report and belief, that neither he, Mr. Wagner, or his establishment, could return to Baltimore with safety.

MIDDLETON B. MAGRUDER.

December 10, 1812.

Interrogatories to Mr. Middleton B. Magruder, by Mr. Donald.

First. Did you see the Mayor of the city on the morning of the twenty-eighth active in organizing the guard?

Answer. I don't know the Mayor.

Second. Do you know how the guard was composed who conducted the prisoners to gaol? Was there not an outside guard of unarmed citizens who walked next to the guard of militia?

Answer. I did not see any guard but the armed guard.

Third. Did not the mob, immediately after every fire from the house, return with greater fury to the assault, and appear to increase instead of diminishing?

Answer. Yes.

Fourth. Do you believe that it was in the power of the magistrates and peace officers of the city to have dispersed the mob without a recurrence to the military power?

Answer. I believe the mob could not be dispersed after the first fire of guns from the house without, without the aid of military power.

Fifth. Had you any conversation with any of the mob with respect to Judge Scott having deceived them? And what appeared to be their determination?

Answer. I have understood, on the 28th July, the mob was dissatisfied in consequence of Judge Scott releasing Mr. Hoffman, and that they determined on revenge.

M. B. MAGRUDER.

Interrogatory by Mr. Causin.

Inter. Did you observe any interposition of the civil authority to prevent the destruction of the property in the house in Charles-street on the twenty-eighth July last?

Answer. Not while I was there.

DEPOSITION
OF
JOHN S. ABEL.

JOHN S. ABEL, being first duly sworn—

As to the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth interrogatory, have no knowledge.

In answer to the eleventh, sometime after the destruction of the office of the Federal Republican, I was informed by a coloured man by the name of James Briscoe that he apprehended his house would be pulled down by a mob the next night, and that a man who beat on a big drum, whose name I do not recollect, had declared he would be one of the first who would attack the house. In the evening, at the request of Judge Scott, I issued a warrant for the drummer, and about dusk with a constable of my acquaintance, repaired to Briscoe's house. Just before we arrived at the house heard the attack begin, the boards and shingles flew so thick and violent, that I could not get to the house. I used my endeavour to prevent the destruction of the house, but in vain, as no other officer attended, though I was informed several constables was looking on at a small distance from the house; the front part of the house was entirely demolished—The next evening about dusk I attended at the same place, where some boys and a few men, who appeared to be mostly intoxicated, had collected; after using some warm threats, and requesting them to endeavour to find Briscoe, who I would assist them to punish, should we find him guilty, they left the place. They observed that they wished to destroy the back building of the house that was pulled down the night before, or the adjoining house which was said to belong to Briscoe's daughter; their charge against him was, that he had made declarations in favour of the British, and had declared he would be a king himself.—I had no knowledge of the persons concerned in the foregoing transactions.

Have no knowledge of the 12th, 13th and 14th Interrogatory.

In answer to the 15th—On the morning of the 27th July last, was informed by Peter L. White, that he had just come from the Mayor's office, where he had been to solicit the advice and assistance of Mr. Johnson; that his mother was apprehensive that the house she had formerly rented to Mr. Wagner would be attacked by a mob. On my asking him what was the reason of her fear, he informed me that Mr. Hanson was in the house,

attended by a number of his friends, and was about to re-establish the Federal Republican. After Mr. White left my office, many persons coming in on business, and most of them appearing to believe the house would certainly be attacked, and to my mortification, the greater part of those I conversed with on the subject appeared delighted with the information. Believing the house would be attacked that night, and thinking it my duty to prevent any damage being done to Mr. Hanson and his friends, or the house of Mrs. White, I thought it my duty to consult some of my brother magistrates. Mr. Bankson, Mr. Jenkins and Richard K. Watts, were justices of the peace, and my intimate acquaintances. I first applied to Mr. Bankson, and observed to him I was fearful an attack would be made on Mrs. White's house that night, and I thought it my duty to apply to, and consult with my acquaintances in office, and to apply to the Mayor and Judge Scott, and if I met with their approbation I would go in the house and inform Mr. Hanson and his friends what I apprehended, and what appeared to be the opinion and wishes of most of those I had conversed with on the subject. But I did not apply to Judge Scott. Mr. Bankson appeared to be much surprised at my conversation, observed Mr. Hanson was a partner with Mr. Wagner, and that their paper was very abusive, and that he thought it unnecessary to apply, as he believed, the business was known to the Mayor, Judge, and most of the officers. Mr. Jenkins was cut. I then applied to Mr. Watts, he observed that there was no doubt there would be an attack on the house, but thought it would not be that night, observed he had no arms and he thought it not his duty to risk his life, there was officers higher in station, whose duty it was to interfere, and from what I observed there was no doubt on his mind but they all knew the prevailing opinion of the people; insinuated to me, if I interfered he thought it would be at the risk of my life. About early candle light, I heard the attack begin, and immediately repaired to the spot. There appeared to be about twenty boys, and a few men, some of them much intoxicated, standing in the middle of the street, abusing in the most violent manner the persons in the house, calling them damned tories, traitors and rebels, and that their paper was printed in favour of the British, and supported by British pay, and that they would kill every one of the tories in the house. Observing no constable, watchman, or magistrate of my acquaintance present, I thought best to solicit aid from those standing on the pavement, but found no person who shewed a disposition to assist me. I applied to the mob, informed them that the people in the house was armed, and would certainly fire on them if they did not desist from battering the house; to this they paid no attention, but continued battering the house with redoubled violence, until a cry was heard, they have got Wagner. I pushed through the crowd until I came to

where they were beating some person with great violence, and who was recognized to be Mr. Bigelow. I followed the crowd until they stopped at Mallet's assembly room. After putting him in the house, Dr. Gale addressed the mob at the door, using most scurrilous and abusive language, requesting the mob to follow him and he would soon destroy all the damn'd Tories. After my return to the house and using my utmost endeavour to prevail on the mob to disperse, I heard Mr. Hanson address the mob, and requested them to let the house alone, that it was his property, and that he would fire on them if they did not desist from farther violence. About 9 o'clock there was a fire of three or four guns, which done no damage, and about ten there was a second fire from the house, which wounded a Mr. Fleining, who was very near me, and several others. At this time the windows of the house was I believe nearly demolished, the door forced open, and for two hours there had been a continual battering the house. About this time I heard Judge Scott ask for watchmen and constables, and lastly if there was no Magistrate present; I instantly stepped up and asked him if he wanted me to attend him, he observed he did. I then took him by the arm and he addressed the mob, and asked them if they would disperse, or what did they wish; they observed that they wished to know whether Mr. Wagner, or the printing press, was in the house. The judge asked them if they were neither in the house if they would disperse? they answered they would. After some further conversation, and an agreement of both parties to desist from violence during the time we was in the house, Judge Scott and myself, at the request of the mob, entered the house. After some conversation between Judge Scott and Mr. Hanson, I addressed Mr. Hanson, who observed he thought he was as much entitled to citizenship as any other person, that the house he was in was at that time his property, and that he certainly had a right to protect it, that he did not wish to injure any person, nor would unless compelled by self-defence.

After searching the house, and the mob getting very violent without, Mr. Hanson requested us to retire, observing, you see gentlemen you can do nothing farther—We then retired, and Judge Scott informed the mob that Mr. Wagner was not in the house, and that there was no press there, and requested them to disperse, asking them to follow him up the street, that the people in the house might have room to retire, which they would do if they would give them room. At this time I was called on to attend at Gen. Stricker's. I met the General at his door, and asked him if he wanted me; after informing him who I was, he requested me to walk in the next room; I there found some justices, and a young gentleman writing at the table. I was informed he was writing an order on Gen. Stricker for the troops, and as there was at that time two Justices present, I was advised

to return and endeavour to prevent further damage being done. On my return to the house I addressed some young men at the window of the front room, and informed them that there was an order issuing for the troop, and I expected they would soon be out of danger, and requested them not to fire any more, as the mob was then increased to hundreds, there was no chance of saving them by any other means. While at the window I was joined by Dr. Gale, when one of the gentlemen in the house addressed the Doctor in a friendly manner, requesting him not to use any more violence towards them, that they had borne his abuse a long time, and did not wish to hurt him. Gale began to weep, declared he would not injure him for the world, shook his hand very affectionately, opened his bosom, and requested the gentleman to shoot him, declaring the house must come down. I then joined Judge Scott who was still pleading with the mob, and several times, on their throwing stones at the house, declared if he had a constable he would commit some of them to prison. Hearing the judge and myself oftentimes abused and threatened, and finding no chance of doing any good, I prevailed on Judge Scott to save himself, by retiring, which at length he agreed to. I never saw any officer on that night, civil or military, except Judge Scott, of my acquaintance, use any exertion to prevent or stop the mob. About the time I left the house I saw several Magistrates, among them Aisquith and Fulton, and as I am not acquainted with them all, there might have been some of them there at an earlier period. Judge Scott used every exertion I think in his power to disperse the mob. I believe if there had have been eight or ten magistrates, aided by a few of the well disposed people, the mob might have been dispersed at any time before the second fire. About 12 o'clock at night I left the house, and have no farther knowledge of any thing that took place until the next morning. I saw the gentlemen set off to the gaol.

16th, 17th, and down to the 22d interrogatory, I have no knowledge of.

In answer to the twenty-third, I was present when it was apprehended there would be an attack on the Post-Office; there was a few persons collected together, and after a short address from the Mayor, declaring his intentions to use every exertion in his power to prevent any future mobs, Col. Biays drew his sword and forced his horse on a small assemblage, who did not retire when the word was given to all peaceable citizens to retire. I did not state in my conversation with Mr. Watts, that he observed, that Mr. Hanson was a partner of Mr. Wagner, and on observing that I had heard Mr. Hanson spoken of as a very amiable young man, in the county where I formerly resided, Mr. Watts observed that he believed he was more obnoxious to the people of Baltimore than Mr. Wagner—on my asking him the reason, he said he believed it was owing to his politics.

Anne-Arundel County, ss.

On the 28th day of November, 1812, appeared John S. Abel, before the subscriber, one of the justices of the peace for the county aforesaid, and made oath on the Holy Evangely of Almighty God, that the answers to the foregoing interrogatories are truly and correctly answered.

GIDEON WHITE.

Answer to the 24th Inter. After Mr. White left my office the morning of the 27th July, Mr. Crangle, a constable, came into the office, myself and Mr. Crangle was in conversation, when he observed he wished they would either pull the house down, or kill the men in it.

In conversation with Col. Small, this deponent expressed his fears that the force was not sufficient to protect the persons on their march to the gaol, that he heard one of the guard say that he would load his gun, another replied that they had no orders to do so; and that he heard no music when they started.

Interrogatories put by Mr. Donaldson, one of the Committee, to Mr. Abel.

1st Inter. Did or not Judge Scott and Mr. Johnson at different times request you to be vigilant in the discharge of your duty in the suppression of disturbances?

Answer. They did once or twice direct me to be vigilant in the discharge of my duty in the suppression of disturbances, before the attack in Charles-street.

2d. Inter. When you were spoken to on the day preceding the assault, with respect to the fears entertained that an attack would be made on the house in Charles-street, did any person, and who, state to you that he had reason to believe that a plan had been formed by any persons to do so, or was it merely represented that it was likely such a thing would occur from the dislike entertained in the city against the establishment of the Federal Republican?

Answer. It was mere rumour, it was generally believed there would be an attack.

Inter. 3d. When you saw the party in Charles-street conducted to prison, did you or not remark the persons who accompanied them walking by their side? state their names, and say whether it is not your impression that those persons accompanied them with a view to their personal protection.

Answer to 3d Inter. I saw Judge Scott, the Mayor, General Stricker, and I think, Mr. Montgomery, but I am not positive, at the time that the party in the house came out, and my impressions were that they intended to conduct them in safety to the gaol.

DEPOSITION
OF
GEORGE ATKINSON

GEORGE ATKINSON, being first duly sworn—

On the evening of 27th July last, between the hours of eight and nine, I went to a house in Charles-street, from which the Federal Republican had been issued; at that time it was violently assailed with stones from the opposite side the street, and nearly all the glass in the lower windows broken, many entreaties were made from the windows above for the assailants to desist, and leave the house, or they would be fired at. The arrival of Judge Scott being announced by some of the mob, the attack ceased. Judge Scott endeavoured to lead them from the place, talked to many of the most violent, called on the different police officers, and made every exertion in his power to disperse the mob, without the least effect. He went in the house, after obtaining a promise from the rioters that they would not molest the house while he was in, nor prevent his coming out. While in the passage, talking to Mr. Thomas, the lower windows were demolished by a man who had promised otherwise. Judge Scott came out in a short time, and left the place, after receiving much abuse from the mob. The house was again attacked with redoubled violence, and continued for some time, when a pannel of the door was broken, and the door forced; at which moment there was a firing from within, which wounded Williams and many others. This entirely dispersed the mob for some time; but a drum, and some fire arms arriving, they soon collected and renewed the attack. I saw a man fire in the window of the second story from behind a poplar. Shortly after the door was forced again; a man entering, was shot dead. I went, or was rather forced by the mob, to General Stricker's; there I saw a gentleman in uniform, who I understood was Major Barney; he appeared to be making exertions to get the military out. I was called to the assistance of Mr. Zollickoffer, and remained with him some time. On my return to the head of Charles-street, there was a company of horse formed, commanded by the officer before mentioned; they marched down to the house; at their appearance the street was deserted by a large number. The troop formed before the door, and in a short time the crowd became immense. About this time a cannon appeared in the opposite alley, and was elevated at the house; they were about to fire, but Major Barney appeared at the mouth of the gun, and forbade

it peremptorily—he addressed the crowd, but I could not distinguish what he said—he placed guards at the front and back doors of the house. Many attempts were made to fire the cannon, at which times Major Barney appeared at the mouth, and forbid it, ordering his guard to stand firm, that the cannon would not be fired. In this situation remained the cannon and guards, till sun-rise, or thereabout, when the Mayor and General Stricker appeared, and entered the house. A guard was ordered to take the party in the house to gaol, which was with difficulty obtained. Major Small was active in ordering his officers, and in procuring a sufficient guard for the safety of the party in the house. When the hollow square was formed, General Stricker came down, mounted his horse, and asked the mob if they would suffer the gentlemen to have carriages—the reply was, no, no, let them have carts if they can't walk! The party in the house were then marched down stairs, and came out in the hollow square, many were called by their names and much abuse given them, as tory, traitor, &c. The forbearance of the party defending the house was beyond parallel. I was of opinion, at one time, that they had deserted it altogether. A firing from the house had taken place before I got there, which was said to be blank-cartridges.

GEORGE ATKINSON.

DEPOSITION
OF
GEORGE WINCHESTER.

GEORGE WINCHESTER, being first duly sworn—

Interrogatory to Mr. Winchester.

You are requested to state the conversation which took place on the morning of the 28th July, in the house in Charles-street, between Edward Johnson, esquire, Mayor of the city of Baltimore, and any of the gentlemen, and whom, in the house—Was it your understanding from what the Mayor then said, that he pledged himself for the protection of the gentlemen, or that he would use his best exertions for their security? Did you not at length express your opinion to the Mayor that no time was to be lost in accepting the propositions made? And what was the reason of your opinion?

Answer. I do not recollect, distinctly, any particular conversation between Mr. Johnson, and any of the gentlemen in the house—I recollect, generally, that from the time Mr. Johnson first came into the house, there was much conversation between Mr. Johnson and those in the house, as to the necessity of a surrender, and the means which were to be provided to secure us from the mob on our way to the gaol. The Mayor stated when he first came in, that there were thousands of people before the house, and that there would be a civil war, unless we surrendered to the civil authority. The Mayor promised that he would provide the best means in his power to secure us, and mentioned that a number of respectable citizens, who were supposed to have influence with the mob, would go into the hollow square of the military which was then forming. Several efforts were made to add strength to the military who were to guard us, and I think the Mayor stated that no more could be had.

I had been anxious to delay the surrender as long as possible, in hopes that we might thereby add to our security, on the way to the gaol. Shortly before we did surrender, Mr. Gaither, who was in the house, was seized with violent convulsions on the steps—this created some confusion, and those who were stationed in the passage below, for a moment were off their guard, and I saw some of the mob get possession of two or three guns; and several others jump over the wall behind the house. I was satisfied that longer delay would ensure our destruction—I immediately went down stairs, I called to Mr. Hanson, that we must

go, as the mob had seized some of the guns and we should be attacked from behind. In a short time afterwards we surrendered, and were marched to gaol. I think it but justice to the Mayor to say, that during the time above alluded to, he seemed anxious to protect us, and afford all the security in his power.

GEO. WINCHESTER.

DEPOSITION

or

ISAAC CAUSTIN.

ISAAC CAUSTIN, being first duly sworn—

Interrogatories to Mr. Caustin.

Inter. first. Were you during the night of the 27th July last in Charles-street? And did you witness the scenes which then and there took place? State particularly all that occurred within your observation, with relation to the conduct of the mob, of the persons in the house, and of Major Barney.

Inter. second. In the course of that day had you any conversation with any person or persons, and whom, who appeared to be acquainted with the intentions of Mr. Hanson's party in occupying the house in Charles-street? If you had such a conversation relate the same particularly?

Inter. third. Did you circulate the conversation on that day which you had with Lewis.

Inter. fourth. Have you heard that any association was formed to pull down the office of the Federal Republican, or to injure the persons of any citizen?

Inter. fifth. Were the persons engaged in the business in Charles-street foreigners or natives?

Inter. sixth. Do you know that any inflammatory papers were circulated on the day on which the murder at the gaol took place invited or exciting the mob to do so?

Inter. seventh. Do you believe that the language contained in the Federal Republican on the morning of the 27th, or the indignation against the paper in general, was the cause of the riot which took place?

Inter. eighth. Were you and others applied to by Stricker to form the guard?

Inter. ninth. Have you heard any of the civil or military officers exhort or approbate the conduct of the mob?

Inter. tenth. Has not Major Barney expressed his opinion to you that his orders prevented the dispersion of the mob, and that if they had not that he could have dispersed them?

Inter. eleventh. Did you ever hear General Stricker assign any reason for forbidding the troops to take ball-cartridges?

Answers of Isaac Caustin to the Interrogatories.

Answer to first Inter. At about eleven o'clock, at night, I first heard of the occurrences which were taking place in Charles-

street. I immediately proceeded there, stopped before General Stricker's door, where I made enquiry of what was taking place below. I was told of what was going on, and informed that General Stricker had ordered out the military. A discharge of musketry of about two or three guns at this moment took place below. At the request of Dr. Birckhead, Mr. Boyd and myself went down to the house, to request the people to disperse; we each of us addressed the people, but found our interposition was ineffectual, for the people hurra'd, and swore they might fire and be damn'd. Shortly after, Mr. Samuel Hoffman, who appeared to have made his escape out of the house, was in the hands of the mob, and dragged into an adjoining house; they declared their determination to hang him, but through my interference, and representation that it was better to take him to the watch-house, and that he would thus be sooner brought to justice if he had done any thing that was improper, they assented, and he was taken to the watch-house, where I accompanied him. On my return, I saw Major Barney, with a few of his men, paraded at the intersection of Charles and Market-streets, and I understood, from one of the cavalry, that when a sufficient number was collected, they were to proceed down Charles-street and disperse the mob. The next I saw of the troop, which was about an hour afterwards, they were stationed before the house in Charles-street. Major Barney was then addressing the people, and this deponent thinks, appeared disposed to use threats as well as persuasive language. I heard him say to the mob, "by God, you must disperse!" He was answered by some of the mob, that they were apprehensive that if they did disperse, these men would not be brought to justice—He pledged himself that not a man of them should escape. Shortly afterwards Major Barney dismounted, and jumped upon a gun that was brought there, and on which I also immediately sprung forward to prevent its being fired, it appearing to be their immediate determination to do so. They called out to him to get off the gun, that they would fire it; to which he said "you may blow us all up together!" and persisted in remaining on the gun. I saw him frequently going in and out of the house—He appeared to be very active in his endeavours to prevent the effusion of blood on either side.

Answer to the second Inter. There was a Captain Lewis, who dined at the Coffee-House on that day in company with this deponent. He stated there were a number of gentlemen from the country, whom he named, I think to the number of eight, in company with Mr. Hanson and others, citizens of Baltimore, to support and defend the house in Charles-street, from which the Federal Republican paper was issued, and used threatening language against such who might attempt to molest the house, or those in it. I observed to him, that I did not believe that any gentlemen he named would be concerned in such a business, as they were

strangers, unconnected with the city. I paid no further attention to it, not believing it. There were from fifteen to twenty persons present. Captain Lewis further said, that he would be a volunteer, that he could bring fifty persons to back those in the house. One of the Mr. Hoffman's afterwards informed me, that Lewis had applied to be admitted as a volunteer, but was refused admission, not being known to any of them.

Answer to third. I did not believe what he said, and therefore did not repeat it on that day.

Answer to fourth. I know of no association, but I have frequently heard in the Coffee-House, and other places of general resort, from respectable persons, before the declaration of war, that if war was declared, the paper was so obnoxious that the editors must either alter its tone, or it must be stopped. On the Sunday prior to the destruction of the office, as walking down to the Point with a Lady, I was overtaken by a Captain Thompson, who told me that there were people then assembled in three different places, at Pamphelion's, Myer's gardens, and at, I think, Stewart's garden, near Mrs. Carroll's, on the George Town road, whose object it was to pull down the office of the Federal Republican. Captain Thompson now commands a Gun-boat. I immediately proceeded to Pamphelion's to see who they were who had assembled. I saw a few persons standing at the corner of Pamphelion's, consisting, as deponent thought, principally of masters and mates of vessels. They were talking of the bad effects of the paper, and that it ought to be put down. I endeavoured to dissuade them, stating the impropriety and unlawfulness of the act. I could not ascertain that the persons there had made such an agreement as was stated by Thompson, and I left them. I knew none of the persons then collected. Pamphelion's corner is a great place of resort on a Sunday, and indeed every evening.

Answer to fifth. I cannot tell—I in vain endeavoured to recognize the persons of whom the mob was composed.

Answer to sixth. I do not know of any.

Answer to seventh. I am of opinion that the resentment of the people were so high that they would not suffer it to be published in the city.

Answer to eighth. General Stricker appeared to use every possible exertion to raise a sufficient guard to protect the persons in the house—He called upon myself, and many others, to join in forming the guard, and I did at his request go with them in the hollow square, and accompanied them as far as South-street.

Answer to ninth. No, I never have—The day after the massacre at the gaol, I was asked by Mr. Johnson if I had any knowledge of the actors therein? I told him I had not. He said that if he saw some of them again he thought he would be able to re-

cognize them, and that if there was law, he would endeavour to have them hung, and appeared extremely solicitous to detect and bring them to justice.

Answer to tenth. He never said so to me.

Answer to eleventh. He never has.

ISAAC CAUSTIN.

DEPOSITION
OF
EZRA PARKER.

EZRA PARKER, being first duly sworn—

Inter. first. Were you present when an attack was made on the house in Charles-street from which the Federal Republican was issued? If so, did you see and hear Major Barney address the mob? If so, what did he say? Did you see him endeavour to prevent the firing of the cannon?

Answer to first Inter. I was present after the first volley was fired from the house, and remained until Major Barney came down with his troop, which was about two o'clock the next morning.

The mob gave way on seeing the troop—Major Barney then addressed them, as nearly as I can recollect, in the following words: "Friends and fellow-citizens, I am your personal and political friend; I come here by authority to take these men into custody." The general tenor of his speech appeared to me to be more calculated to impress the mob that the gentlemen in the house should not escape, rather than to disperse them.

Some time after this, after part of the troop had taken a station in the house, Major Barney said—"Now, gentlemen, you must disperse!" one of the mob replied, if we disperse the Tories will escape. Major Barney replied, "I pledge you the word and honor of a soldier that not a man shall escape." I then left the street. I have no knowledge of Major Barney's endeavouring to prevent the firing of the cannon, except from what has been communicated to me by others.

Second Inter. At what time was the first volley fired from the house?

Answer. At about nine o'clock.

Third Inter. Where was it that Major Barney first addressed the mob?

Answer. It was close by the house. The troop had gone forward and left him. He was surrounded by a crowd. I was within about eight yards of him.

Fourth Inter. Are you positive that Major Barney said, "I come not to disperse you?"

Answer, I am, for I recollect being struck by the words, and saying to a young man, who stood by me, then what is he come for? Soon after Major Barney's arrival at the house, he dismounted and went in. I saw not the least disturbance after Major Barney's arrival, before the house. I did not see the cannon at all.

EZRA PARKER.

DEPOSITION

OF

CHRISTOPHER RABORG, Junr.

CHRISTOPHER RABORG, Junr. being first duly sworn.

Inter. 1. On the morning of the 20th June last, coming up Cheapside Dock in Baltimore, was met by Joel Vickers and Enoch Levering, who observed, if I had any influence on Jacob Wagner to caution him against publishing any thing in the Federal Republican against the measures of government, that war was declared, and that the people's temper were wound to a very high pitch, and that the friends of the government were much incensed at a number of pieces that had appeared in that paper, particularly a recent one, some one or two days previous to this conversation; for the latter piece, a number of persons had met at some public gardens between the city and Fell's Point, and had determined to pull down the office of the Federal Republican on the day prior, say Sunday, but were prevented from carrying their determination into effect, by the remonstrances of some respectable citizens, and they had agreed not to take any notice of the past, but should any farther obnoxious piece appear, that the destruction of the office would be the forfeit, and probably indignities might be offered to the person of Mr. Wagner. This being the first intimation I had received of the threat, I immediately communicated the same to Mr. Wagner, who informed he had heard of his office being threatened for several days previous, but did not believe the threat serious. So firmly was he of that opinion, in the evening, at early candle light, he went to the office, where I accompanied him, and got the proof-sheet of his paper for the next morning; from thence we went to a friend's house, some two or three squares distance from the office, on the way was met by Josiah E. Bayly, Esq. who accompanied us. We had been in the house a very short time, ere a gentleman came in, and mentioned that they had actually commenced pulling down the office. I requested Mr. Wagner to leave the city immediately, which he did.

Inter. 2. Went to the office, and there discovered the report we had received to be true, that the mob were in full operation in demolishing the office, and that there was no interposition of either civil or military to check them in their lawless career, that came to my notice. The interposition of the military was

requested by Samuel Hollingsworth, Esq.—not being present at the time the request was made, can't say upon what ground it was refused.

Inter. 3. Can't form an opinion how many were engaged in the commotion, as the depredators were dispersed in different parts of the house, from bottom to top ; did not remain at the office long enough to say what length of time they were engaged in destroying the house and property.

Inter. 4. There appeared to be a mixture of foreigners and natives among the rioters, and the only person that I see alive, whom I knew, was Dr. Lewis, a French apothecary.

Inter. 5. From my answer to the first interrogatory, I am of the opinion that a systematized plan was laid for the destruction of the property, but that the prime movers had address to keep themselves in the back grounds.

Inter. 6. Have no knowledge of any of the questions in the sixth interrogatory.

Inter. 7. Don't know what was the probable amount of the property destroyed, but know positively that there was not fifty dollars worth of the entire establishment belonging to the editors saved from the general wreck, excepting their books of accounts, which were the only things removed, which they were in the habit of removing every evening.

Inter. 8. A. C. Hanson was not in town on the evening of the destruction of his property. They were in pursuit of J. Wagner the greater part of the night, and I am confident if they had succeeded in finding the object of their pursuit, his life would have been the forfeit, from the temper of mind they appeared to be in at different intervals I see them during the night. Whilst at the office in Gay-street, there was one of the banditti exclaimed as loud as he possibly could, now for Wagner, the d—n'd r—l ! the office is in fair way, we will *fix him* ! the word was passed, and in less than two minutes he set off with a gang of his satellites, and as Mr. W. had married a sister of mine, and being in the habit of visiting at my father's, where Mrs. Wagner then was, my father being out of the city, I thought it probable the mob might direct their course that way, and offer some violence. I proceeded to my father's with all possible dispatch, and on my arrival found the front of the house surrounded by them, and some of them at the door trying to get in, which the female part of the family had locked, none of the male part of the family being at home at the time. I stepped up and demanded their business ; they replied Wagner the d—n'd R—l ! I assured them he was not there, neither was he in town, and that I held myself responsible for the assertions I made ; after receiving a great deal of abusive language from them myself, for not permitting a search to be made, they withdrew for a short time and then returned with an additional

force. In their absence I locked the door from the outside. On their second visit a peremptory demand was made to search the house, which I as peremptorily refused, in consequence of which I received a great many indignities, personally, from them— They observed, I was as great a scoundrel as the one they were in pursuit of, otherwise I would not conceal and screen him from the punishment they had prepared and intended inflicting on him; and as they were disappointed, that I would make a very good substitute for the one they were in pursuit of. I was actually seized by the collar several times, and threatened with a suit of tar and feathers, the quality of the former they expatiated much on the goodness of the quality of, and what an addition it would be to my appearance, having a good broad face to receive it. Things went on for some considerable time in this way, and I expected every moment to receive greater injuries than threats and collaring, when two of my friends came up to the door, and advised me to let them search the house; according to their advice I made a proposition to two of the mob to go and make a search, provided they were accompanied by my friends above-mentioned, which was agreed to; the first of the mob who went in, was one of the fellows who had seized me by the collar; and from his appearance and dialect am certain he was a new imported Irishman. They searched the house from top to bottom, under the bed, bed-steads, and wished to cut open the beds to see whether Mr. W. was not in some one of them, which was prevented by the interposition of my friends; they then came down, and a considerable altercation took place between them, and their colleagues, to know whether it was not necessary another search should be made; they finally moved off, and as I thought to give no farther trouble for the night, but in that belief was disappointed, as message came in a short time afterwards, that they had gone to the dwelling of Wagner to have a second search. I repaired to the dwelling in Charles-street, (in which a female servant was left in charge of the house) I found the mob in front of the house deliberating what was the best mode of attack; (the time as well as recollected between two and three o'clock in the morning) the conclusion was, to force the front door, against which they made two or three unsuccessful attacks. During the entire of this scene, I was quiet, having changed my cloaths was not known by them. They concluded to make an effort at the gate, which gave way the first attack. I forced into the yard among them; the negro servant became alarmed, decamped, and left the kitchen door open with a light burning; when this was discovered they exclaimed, the door open and a light burning, we will un-kennel him now. Stratagem was found necessary, when a boy was paid to go in an adjoining yard and cry out here he goes, he has just leaped the fence; they then went off, hue and cry,

in pursuit of Wagner, each one arming himself with whatever kind of cudgel, or stick, they could, in the yard; and whilst I was fastening up the dwelling, they went to the house of my father again, and insisted on a second search; there Mrs Wagner informed them there was none but females in the house, but if they insisted she would go through the house with them to satisfy them—they finally gave up the search, when Mrs. Wagner asked one of the characters if they had found her husband, Wagner, whether they would have injured him? yes, the rascal, we would have blown a pistol through his heart.

No knowledge of the 9th, 10th, 11th, 12th, 13th, and 14th Interrogatories, only from hearsay, of course deemed of no consequence.

Inter. 15. Had no knowledge that the paper was to be issued in Baltimore, until Sunday night 26th of July. Knew nothing of the mode of defence on the night of the 27th; had retired to bed very early; was roused by a knocking at my door; inquired the cause, and was informed the house in Charles-street was attacked by the mob. I put on my cloaths and went there; on my arrival, what was called the blank shot was fired, but no injury done to those in the street. The unfortunate man Gales was the first person that came under my notice; he was excessively noisy and turbulent, exhorting and encouraging the mob to go down to the house, that he would lead them—After considerable exhortation on his part they followed. I went as near to the house as I thought prudent; never was more astonished at the forbearance of any set of men in my life, than that of the gentlemen in the house; the attack on the house was most violent, and a continual discharge of stones against the windows and door; from the crashing of the glass I was certain there could not have been a pane of glass left in the first and second story. When the first discharge that did execution was off, I went to General Stricker's door, where a number of persons were requesting the General to issue orders for the military to turn out and restore the quiet of the city. He said it was necessary to get the requisitions of two magistrates before he could comply with the request. Before the order was issued I returned. The next morning, after the gentlemen had surrendered, was met by Major Barney, and requested to go and get my musket and assist in guarding those gentlemen to gaol; which I declined, under a supposition that I might be able to protect the property after it was left to the mercy of the populace.

Inter. 16, 17, 18, 19, 20, 21, and 22, same as from 9 to 14.

Inter. 23. There was a threat, and an attempt would have been made, to destroy the post-office, (the reason assigned was the issuing the Federal Republic therefrom) had not the military interfered. I received a written order from Capt. Samuel Sterett to attend as one of the guard on the third night after the

threat, as did every member belonging to his corps; we were all furnished with ball-cartridge; from whom Capt. Sterett received his orders I disremember.

Inter. 24. After those gentlemen had been lodged in gaol, I called at the Mayor's office, was referred to Judge Scott's to see him, which I did, and requested him to take some steps to stop the destruction of Mr. Wagner's property, which I informed him the mob were destroying entirely; he replied, Mr. Smith had just came from there and said all was quiet, and no steps were taken by him that I know of to prevent it. From thence I waited on Thomas Bailey, a magistrate, and requested his interference; he went to the house in Charles-street, and detected two persons who had stolen several articles from the house to the value of thirty or forty dollars, and had them sent to prison, from whence they were discharged, as I am informed, without being brought to trial, by what authority I am uninformed. During the day of the 27th, I had a number of books and a mahogany side-board brought from the house, which I supposed was safe, but even in that I was disappointed; between one and two o'clock of the same day, there was a parcel of the mob came to my store, the Sheriff of Baltimore county with them; the Sheriff mentioned that those persons had heard of my having received a quantity of Mr. Wagner's books, and that they were determined on having them, that he would advise, but not demand, their being given up to pacify them. I mentioned if he would take them in his protection I would deliver to his care, which he promised.

The mob ordered a dray, the books were loaded thereon; at the instant they were loading the Mayor passed close by the dray, without taking any notice of the transaction. They then demanded the side-board, which was given up to the charge of the Sheriff. A Shoemaker, by the name of Darling, attempted several times to take the horse and dray out of the Sheriff's possession, which he was not permitted to do. In going from Water to Market-street, this fellow demolished the side-board all to atoms, although in the charge of the Sheriff. There was nearly a total destruction of the property of Mr. Wagner; his library, papers and furniture, (what books were put in the hands of the Sheriff were all odd volumes, and so much mutilated that they were of little or no value.)

CHRISTOPHER RABORG, jun.

DEPOSITION
OF
JOHN PURVIANCE.

JOHN PURVIANCE, being first duly sworn—

I regret that my professional engagements at this time will not allow me to enter so much into detail as the inquiries made by the honourable the Committee of Grievances would seem to require.

I do not hesitate to express my firm belief, that the Mayor of the city of Baltimore, in his official conduct, throughout the unhappy scenes that were exhibited in that city during the past summer, was prompted by a sincere desire to preserve the peace and good order of the same; and that no exertions dependant on him were wanting to accomplish that object. The failure of his efforts in that respect, is to be attributed to causes far beyond the controul of the Mayor—I speak thus confidently of the Mayor's conduct, for I had frequent opportunities of seeing him during those disgraceful scenes, as he communicated freely with me on the subject.

I am asked to state the reasons why measures of coercion were not used to restrain these outrages—In answer to this inquiry, I beg leave to state what came under my immediate observation. On the morning following the destruction of the Federal Republican office in Gay-street, the Mayor called on me, and intimated a desire to be informed, how far he was warranted by law in calling out the militia to aid in suppressing riots and other unlawful assemblages of the people. He stated that there was an act of assembly on the subject, and requested me to examine its provisions; I was at that time even uninformed of the existence of such a law, and therefore could not immediately refer to it. While I was engaged in the search, James L. Donaldson, esquire, came into my office, to whom I communicated the object of the Mayor's inquiry, and asked him if he knew when the law had passed. After some little time the law was found, and in the course of reading it, I expressed my doubts of the power of the justices to call in the aid of military authority except in the two cases of invasion and insurrection. I had scarcely time to utter these doubts, when Mr. Donaldson, casting his eye over the law, called my attention to the general words used in the latter part of the section. Upon a more attentive perusal of these

words, which had escaped my observation on the first hasty glance, I intimated an opinion, that they were sufficiently comprehensive to embrace all cases where the peace and quiet of the state are likely to be endangered; but keeping in view that jealousy, which the spirit of our government constantly inculcates, of the interference of the military with the civil authority, I observed to the Mayor, that I was not entirely without doubts as to the construction which courts of justice might give to this law. At the same time, however, I stated distinctly to the Mayor, that if I were in his situation I would not hesitate to exercise the power, in the then state of things, if requested so to do. The Mayor shortly afterwards left my office. In the course of the same morning I was desired to attend a meeting at Mr. Griffith's office in Calvert-street, where it was understood that several gentlemen of the city intended to assemble, for the purpose of devising measures to restrain the further excesses and outrages of a licentious mob. Not long after I had reached Mr. Griffith's, it was proposed by some of the company to adjourn to the Mayor's office, where it was mentioned the Mayor was waiting, ready to co-operate in such measures as it might be thought advisable to adopt. A number of us accordingly proceeded to the Mayor's office, and in a short time the meeting became so numerous that it was thought necessary to go to an upper room of the building in which the office is kept. When met, a good deal of desultory conversation ensued as to the measures proper to be pursued in the existing crisis. Several of the gentlemen present stated their sentiments at large. There seemed, however, to be a diversity of opinion on the subject. It was then agreed that the Mayor should nominate, from the company, a certain number who should retire to an adjoining room to consult on the best means to preserve the peace and order of the city, and report the result of their deliberations to the meeting. Mr. McHenry, Mr. S. Sterett, Mr. Richard K. Heath, Mr. W. Stewart, Mr. Jameson, Mr. McDonald, and myself, and perhaps some others, whose names I do not recollect, were named of this committee.

After retiring and conferring for some time, it was found to be the opinion of a majority of the committee, that a resort to military force was unnecessary, as it was believed that the destruction of the printing-office in Gay-street had proceeded from a temporary ebullition of popular fury, which had no longer any further object to excite it. It seemed to be the opinion of a majority of the committee, that a publication by the chief judge of the criminal court, the mayor, and justices of the peace, expressing their marked disapprobation of the outrages committed the preceding evening on the Federal Republican printing-office, and enjoining it on the citizens to abstain from all assemblages for unlawful purposes, would have the desired effect. In pur-

sance of this opinion of the majority of the committee, I was requested to draw up a paper to be signed by the Chief Judge, Mayor, and Justices, expressive of these sentiments, which was accordingly done. It was reported to the meeting as the result of our conference, and although it met with opposition, it was finally adopted. The paper was afterwards published in the different news-papers of the city.

I will now proceed briefly to relate what happened in my view relative to the conduct of the civil authority in refusing bail to the gentlemen concerned in the occurrences of the night of the 28th July in Charles-street. On the morning following, as I was passing from my dwelling to my office, which is on the opposite side of the street, I saw several gentlemen in conversation together—I immediately joined them, and for the first time learnt what had taken place in Charles-street the night preceding. As soon as I had dispatched some business that required immediate attention, I determined to go to the Mayor's office to hear more satisfactorily the particulars. In passing along Second-street, I met the Mayor, who told me that he was then on his way to my office to converse with me about the events of the past night. I expressed my pleasure at seeing him, and told him that he had anticipated me in the object of his visit. After some conversation, he mentioned to me, either that an application had been made to Judge Scott, by the friends of the gentlemen confined in gaol, to admit them to bail, or that he understood such an application was to be made, (I cannot now remember which) and that, in his opinion, it would not contribute to the safety of the gentlemen concerned, as in the existing ferment of the public mind, it might be attended with fatal consequences to themselves. I concurred in these sentiments, and added, that I thought the gaol would afford them complete security, until this fury had a little subsided. He expressed a wish that I would make known these sentiments to Mr. Walter Dorsey, and some other gentlemen, who were extremely solicitous that bail should be immediately taken. I left the Mayor, and proceeded to Judge Scott's, where I was informed that several persons had met on the business of bail. On entering the office, I found several gentlemen there, and it appeared to me that the propriety of taking bail at that moment had been already discussed. I expressed myself in the same manner that I had done to the Mayor, declaring my belief that the gaol was their best security for the present, being then solemnly impressed with the idea that if they were admitted to bail, they would have fallen sacrifices to the fury of an insatiate mob. I well remember, however, to have remarked, and that too more than once, that the gaol ought to be guarded by a strong military force, and that in its absence, no effectual protection could be afforded to the gentlemen confined therein. This appeared to be the com-

mon opinion of the persons of Mr. Scott's, and it was accordingly asked whether the Justices would have any objection to make the necessary demand of the Brigadier-General for that purpose? Judge Scott, and the Mayor, consented to make the demand, and the Mayor took up his pen to write the requisite order. Perceiving a tremulous motion in the hand of the Mayor, which I supposed to proceed from his great anxiety of mind, I requested him to allow me to draw the order. It was accordingly prepared by me in conformity to the words of the law.

The committee are already acquainted, by information obtained from others, of the unhappy sequel. I have to add, that no man more feelingly deplored the melancholy catastrophe at the gaol than the Mayor, and none could express stronger sentiments of abhorrence and indignation at the inhuman and savage cruelties exercised there by a ferocious and blood thirsty mob.

In Baltimore, as in most other populous commercial cities, there always exists a certain portion of depraved and wicked men, who are ever ready to join in scenes of plunder, riot and bloodshed, and who are only to be kept down by the strong arm of a vigorous and efficient police. It is for the wisdom of the Legislature to prescribe what further powers ought to be vested in the magistracy of Baltimore to attain this important end.

Many erroneous opinions were circulated, about this time, in relation to the freedom of the press, and, among others, that no paper ought to be allowed to be published whose tendency was to disparage or reflect on the measures of the general government. This opinion so far prevailed among a certain portion of the people, that I believe it was thought a meritorious act by some to have been engaged in the destruction of the Federal Republican office. This sentiment, however, was by no means universal, for it was reprobated by a very large number of the respectable citizens, as hostile to all the principles of a free government.

DEPOSITION
OF
WILLIAM LACOMB.

WILLIAM LACOMB, being first duly sworn, saith—

1st. I know not any thing concerning the Federal Republican office. I was down at the Eastern Shore at the time it was pulled down.

9th. At the time of the vessels being disturbed I was down at the Eastern Shore.

15th. I knew nothing concerning the house in Charles-street until the next morning after it was all over, and the people was taken out of the house and carried to gaol.

16th. I did not know of any orders from the Mayor and officers concerning to prevent any thing.

21st. I was not present at the gaol at the time of breaking open of it, I was down at the Point at my house.

22d. I belong to a company of Fell's-Point Blues—I had no orders to turn out, and I did not turn out, nor I don't know of any orders to turn out, if they was, it is unknown to me.

WILLIAM LACOMB.

DEPOSITION
OF
LEVI HOLLINGSWORTH.

LEVI HOLLINGSWORTH, being first duly sworn—

1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11th. On the evening of destruction of the office of the Federal Republican, there was a meeting of a number of persons, of whom I was one. Maj. Barney, George Stiles, and others, were there. The object was to devise a plan for the celebration of the anniversary of the Declaration of Independence, and of the Declaration of the War. While we were there, a report reached us that the populace were destroying the house in Gay-street—On my way home I called there—I remained there a few minutes—I saw very few persons there whom I knew. The people were busily employed taking down the house. I saw none of the civil or military officers; perhaps there were about three hundred persons. The house was a wooden building, of not much value. I am ignorant of the other matters of these interrogatories but by rumour.

12. I never heard of any disposition to destroy any place of public worship till I saw this Interrogatory.

13. I never heard of any such combination.

14. I know nothing of this but by rumour.

15. About ten o'clock that night, one of my family came in, and told me of the disturbance in Charles-street—I went there, and remained there till about 2 o'clock. Before I got there Williams had been mortally wounded, and several others had been badly wounded, by the firing from the house. The people in the street excessively exasperated. A drum was beating in front of the house, and a collection of men and boys about it throwing stones and brickbats in the house, and occasionally there was firing from the house, which was generally answered by tories, traitors, and such epithets. The people outside appeared determined to watch the door till a reinforcement arrived. I suppose the number outside about three hundred. The number did not much increase while I was there. I had no communication that night with any of the civil or military authorities. I saw Major Barney forming some cavalry in Baltimore-street when I came away.

16, 17, 18, 19, and 20. I am ignorant of the matters in these interrogatories.

21. I was at the gaol on the 28th, a few minutes about sunset. There was no violence till I came away.

22. Col. Sterett's regiment was ordered out. I saw a few of them assembled in Gay-street, perhaps twenty or thirty.—The reason more did not appear, I believe, was the prevalent irritation occasioned by the occurrences in Charles-street. I saw a member of Capt. Stevenson's troop ride up to him, and report, that he had called on the members of the troop, and I think he said every one refused to turn out.

23. Apprehensions were entertained respecting the post-office; militia were stationed there several nights to prevent violence.

24. I do not recollect any material occurrence which is not related in other answers.

LEVI HOLLINGSWORTH.

Interrogatories to Mr. Levi Hollingsworth, by Mr. Donaldson.

1st. Were you not in Charles-street during the night of the 27th of July? If yea, state your whole knowledge of what passed in said street during that night, and particularly all you observed with relation to the conduct of Gen. Stricker and Major Barney.

2d. Were you there when the guard was organized the next morning? Did you observe Gen. Stricker and Mr. Johnson, or either of them, active in organizing the guard? State what passed at that time within your observation.

3d. What in your opinion was the number of the crowd which had assembled when the party in the house entered the hollow square?

4th. State your impressions of the general sentiment prevailing in the people of Baltimore with respect to the conduct of the party in the house during the 28th July.

5th. State whether in your opinion the inhabitants of Fell's-Point had any notice of or participation in the attack on the house in Charles-street on the night of the 27th. State the grounds of your opinion.

6th. Do you know whether about the time of the surrender there were not large bodies of the populace coming up from Fell's-Point with a view to attack the house?

7th. Do you believe that it was in the power of the officers, civil and military, to have dispersed the crowd in Charles-street by any application to the militia or peace-officers of the city? And, from what you have learned of the disposition of the people on the night of the 28th, is it your belief that if the militia which had assembled in Gay-street had marched to the gaol they would have been able to have protected the prisoners?

Answers.

1st. What I know on this subject is related elsewhere.

2d. About sunrise I was at the house in Charles-street; I left there in a few minutes, intending to return soon. Soon after they proceeded to the prison—while there I saw Gen. Stricker, and the Mayor, employed in getting the persons in the house rescued from the impending danger.

3d. It is difficult at this time for me to form any opinion of the number of people in Charles-street in the morning.—They had increased considerably, and were coming in from all quarters, highly incensed.

4th and 5th. I have no doubt that the proceedings in Charles-street were, during the night, almost unknown at Fell's-Point, and I believed few or none from that quarter were there. It was little known any where in the city that there were such disturbances. The most numerous class of people in Baltimore go to rest early at that season, and the disturbances made little noise that night but at the scene of action, and of course the people generally were ignorant that such things were going on till they arose in the morning. It is my opinion that had the disturbances commenced one hour earlier, or continued one hour later in the morning, the persons in the house could not have been saved, such was the prevailing temper at the time.

6th. I have always understood that the people were coming in considerable numbers from the Point; they were collecting from all parts as fast as the affair became known.

7th. I do not believe that any force, the officers of the civil and military could command, could have dispersed the people in either Charles-street or the next day.

LEVI HOLLINGSWORTH.

Interrogatories by Mr. Dorsey.

Inter. 1. When you say they were three hundred persons at the house in Gay-street do you mean to say that that number were engaged in the destruction of the property?

Answer. I suppose there were three hundred altogether, but this is a very vague conjecture.

Inter. 2. Do you know, or have you heard, that any plan was concerted to attack the gaol and injure the prisoners?

Answer. I never heard of a plan to attack the prison, except during the few minutes while I was there some person, whom I did not know, said to some others whom I did not know, that they, meaning the people whom we saw in groups about, had determined to take the prisoners out and kill some of them.—I considered these as loose words, and paid no respect to them. Very soon after I returned into the city, where we heard that the attack on the gaol had commenced.

Inter. 3. Do you know, or have you heard, that any inflammatory publications appeared and were calculated to excite the passions of the mob? If you do, state the contents, by whom, and where circulated.

Answer. I do not recollect any such publication unless what appeared in the news-papers is deemed such.

Inter. 4. Did you ever hear, or have you heard, that any, either of the civil or military authorities of the state, did excite or approbate the mob? Or have you had any conversation either with Col. Biays or Capt. Stiles, or any other person, as to any meeting of any of the residents of your city to execute, or a plan for the destruction of the office or the injury of any of the citizens?

Answer. I never heard of any of the civil or military authorities exciting or approbating the mob.

I have had no conversation with Col. Biays, Capt. Stiles, or any other person, on the subject referred to in this interrogatory, nor have I before heard any thing on this subject.

LEVI HOLLINGSWORTH.

DEPOSITION
OF
SAMUEL HOLLINGSWORTH.

SAMUEL HOLLINGSWORTH, being first duly sworn—

Samuel Hollingsworth's answers to the Interrogatories.

Answer to first Inter. About 8 o'clock in the evening of the 20th June last, I received information that an attack was made, or about to be made, on the office of the Federal Republican in Gay-street, and hastened to the Mayor's office in South-street to know what steps the Mayor was taking, and to offer my assistance in support of the civil authority. Finding the Mayor's office shut, I went to the printing-office in Gay-street, in company with Mr. John Worthington; at this time there were 15 or 20 persons, all unknown to me, engaged in destroying the printing materials, and demolishing the house, and 250 or 300 persons as spectators in Second and Gay streets. I walked through the crowd to see who were aiding and encouraging the rioters, and to my great astonishment saw no person whom I knew in the crowd. I then determined to go to the house of Mr. Johnson, the Mayor, Mr. Worthington accompanied me, for the purpose of having this outrage suppressed; we found the Mayor standing with four or five other gentlemen near the house of Mr. Henry Wilson, opposite the Brewery. I asked the Mayor if he was not apprised of the proceedings of the mob in Gay-street; he said he was; I asked what steps he had taken or meant to take to suppress it; he said he could do no more than any other man; that his authority was not sufficient to call on the military, nor on the citizens, and that nothing could be done to prevent it. I said I had just come from there, and was convinced that the populace could be dispersed with very little exertion, and that with 20 or 30 horsemen the property could be protected, and the city restored to order, and solicited the sanction of his presence and his authority to make the trial, which he assured me would be of no avail, and said it would be the height of folly and rashness to attempt it—the same opinion was supported by those that were in company with him. After a short conversation, I told him if he would or could not do any thing, I would go to the Judge of the Criminal Court, or some of the city magistrates—he then said, if I was going back to the house in Gay-street he would attend me; he then caught me by the arm, and we hastily walked over in company with

Mr. Worthington. When we came to the office of Discount and Deposit, we saw a fire-hook and rope employed in pulling down the end of the printing-office—we made a short pause to see who were the most active persons engaged at the rope and fire-hook, we then pushed through the crowd, and the Mayor addressed the people, saying they were committing a horrid outrage on the laws and on private property, and entreated them to desist and retire—some of them said they knew the Mayor, that no body wanted to hurt him if he did not oppose them, but that they would not stop until the house was pulled down, and advised the Mayor to go home. The only person I there saw, whom I knew, was Dr. Philip Lewis, a French Apothecary in Old Town, whom I tapped on the shoulder, requesting him to listen to the Mayor of the city; he turned round, saying, "Mr. Johnson, I know you very well, no body wants to hurt you; but the laws of the land must sleep, and the laws of nature and reason must prevail; that house (pointing to the partly demolished building) is the Temple of Infamy, it is supported with English gold, and it must and shall come down to the ground!" Then seizing the rope, he cried out, huzza boys, pull away! down with it! The Doctor turning round to me, said he knew me very well, and did not want any of my advice. I then observed to the Mayor, if he could do nothing more we had as well retire from the crowd. He was much agitated, and expressed a desire to consult counsel; we went to the house of John Purviance, Esq. whom we were told was not at home. I then left the Mayor to go in search of Judge Scott, whom I met with in the crowd, and who told me he had been endeavouring to suppress the mob without any effect, and was then about to retire to his home, as he was greatly afflicted with tender feet.

Answer to second Inter. I saw Judge Nicholson at some distance from me, passing through the crowd. I did not see any of the constables, nor did I see any exertion made by any person to suppress the proceedings of the rioters.

Answer to the third Inter. When I left the place, about ten o'clock, there were 500 or more persons in the streets, and perhaps 40 or 50 engaged in destroying the printing presses, papers, and parts of the building.

Answer to the fourth Inter. The rioters appeared to be principally of young mechanics, and some foreigners of the labouring class.

Answer to the fifth and sixth. I can give no information.

Answer to the seventh. I suppose the building destroyed worth about two thousand dollars—the value of the printing presser, type and paper, I cannot estimate.

Answer to the eighth and ninth. I can give no information.

Answer to the tenth. Edward Johnson, the Mayor, and Judge Scott, were applied to for their interposition in the manner

stated in my answer to the first interrogatory—no other officer appeared to me to take any interest in stopping the rioters.

Answer to the eleventh. I can give no information of my own knowledge.

Answer to the twelfth. I can give no information.

Answer to the thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, and twenty first. I can give no information.

Answer to the twenty-second. No information.

Answer to the twenty-third. The mob assembled at and threatened to pull down the post-office, as it was generally understood and believed, in consequence of the Federal Republican newspaper having come by the mail, and being delivered from the post-office to its subscribers; and a military guard was necessarily kept at the office for its protection against the threats and assemblage of the mob, each night, for eight or ten days successively.

Answer to the twenty-fourth. It is my decided opinion, that if the Mayor, other city and state officers, and officers of the United States, had exercised their influence and powers in a proper manner, most of the disasters that have occurred, so shameful to the city of Baltimore, and so hurtful to many of its citizens, could have been easily prevented, because it was evident, that when the post-office was attacked, and the banks threatened, no difficulty was discoverable in acquiring a military force sufficient to produce peace, order and quiet, throughout the city. For some time previously to the attempt on the post-office, not a night passed without some house being attacked, some citizen driven from his family, or some property threatened, and many persons proscribed as tories, traitors, and other expressions of contempt, tending to excite the resentment and revenge of an infuriated populace.

Interrogatory put by Mr. Donaldson, to Mr. Samuel Hollingsworth.

Were you or not on the night of the 27th of July, at the house of Gen. Stricker? What passed between you and him with respect to the disturbance in Charles-street then? Did he or not express great anxiety to receive an order from the civil authority to turn out the militia, and express his determination to act instantly upon such an order?

Answer. I was a short time at Gen. Stricker's, and heard him say he could not call out the military without a written order from two magistrates, and that on receiving such an order he would do so. I went out to look for a magistrate, and met with Mr. John Dougherty, who went down with me. I was then told a lawyer was wanted to explain the law; I went then to Mr. Thomas Buchanan, who went down (or said he would)

and read the law to them. I was not there afterwards, and know not what occurred.

Additional Interrogatory to Mr. Samuel Hollingsworth, by Mr. Donaldson.

When you were present at the demolition of the Federal Republican office with Edward Johnson, Esq. did you or not hear any threats thrown out against him by any of the mob, in case of his interference? State such threats, if any, and the conduct of the persons using them towards Mr. Johnson.

In reply to the above. I well recollect, that two or three persons in the mob told the Mayor they knew him very well, and did not wish to hurt him if he did not interfere with them; and that one man, whom I did not know, told him, the work they were engaged in was a necessary work, and that if he opposed them, they must or would put him out of the way—or in words to this effect.

SAMUEL HOLLINGSWORTH.

DEPOSITION
OF
RICHARD B. DORSEY.

RICHARD B. DORSEY, being first duly sworn—

Interrogatory 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14. I have no knowledge whatever.

Inter. 15. About nine o'clock, on the evening of the 27th July last, I heard that a mob had collected before a house in Charles-street from which the Federal Republican had been issued on that day. In passing down Charles-street, on my way to the house, I saw a large collection opposite Mallet's assembly room; on inquiry, I was informed that Mr. Bigelow, in making his escape from the house, had been very much beaten by the mob and carried in there. On approaching the house, I discovered that the door had been broken open, and the window sash in the lower story completely demolished. At this time Judge Scott was addressing the mob, and ordering them to disperse; his commands however were disregarded. In a few minutes the house was most furiously assaulted, and the attack continued without intermission for fifteen or twenty minutes. The mob were repeatedly addressed by the gentlemen in the house, particularly by Mr. Hanson, whose voice I could distinguish, who told them that the house was his castle, and that he and his friends would defend it to the last extremity, and if they did not desist that he would fire upon them. The reply was, kill the damn'd tories! and the attack was renewed with redoubled fury. About ten o'clock, when the glass and sash in front were destroyed, six or eight guns were discharged from the second story of the house, by which fire several of the mob were wounded, one of whom has since died. Upon this discharge the mob fled, but returned to the attack again in a few minutes, which continued with little intermission until two o'clock in the morning, when a gun was fired from the house which killed Doctor Gales, who I was told was in the act of entering the door. About this time a reinforcement of the mob came up with a drum, two or three of them had muskets—A number of them then filed off, as they declared, for the purpose of procuring cannon. Two or three guns were fired into the house from the street. Between two and three o'clock Major Barney marched down Charles-street at the head of a troop of horse, on seeing the troop the mob were flying in all directions, crying out the troop is coming!—the troop halted a short distance from

the house—on seeing them halt I came up, and just as I reached them, the cavalry moved on towards the house, leaving Major Barney, who then addressed the mob to this effect, and I think in these words: “My friends and fellow citizens, I am one of you; I am of the same political sentiments with you, and I do not come to disperse you.” On hearing this, I immediately left that part of the street and went in front of the house in Charles-street, before which the troop had formed, where I found Captain George P. Stevenson in conversation with Wilson the editor of the Sun—Wilson asked Captain Stevenson what he intended to do with the gentlemen in the house, and where he intended to march them? Captain Stevenson replied, “I will march them to the devil, or to hell, if you wish it.” I then left the street and saw nothing further.

Inter. 16, 17, 18, 19, 20, 21, 22 and 23. I have no knowledge.

Inter. 24. I know nothing further which it is material I should relate.

Inter. 25, 26, 27 and 28. I have no knowledge.

DEPOSITION
OF
ANDREW PRICE.

ANDREW PRICE, being first duly sworn—

Interrogatories put by Mr. Donaldson to Andrew Price.

First. Were you or not in Charles-street and at the house of General Stricker on the night of the 27th July? State particularly all you observed with respect to the conduct of General Stricker and Major Barney on that night.

Answer to the first Interrogatory. This respondent answereth and saith, that he was in Charles-street, near the house in which Messrs. Hanson and others were, on the night of the 27th July last. At the time the first firing was heard, said to have been from the said house, that this respondent was in company with a gentleman and two ladies on a visit in said Charles-street; that from the alarm given by the said firing, and the great number of persons then gathering about and near the house aforesaid, the ladies became very anxious to return to their own homes in Gay-street; that this respondent accompanied them home, and remained a short time there; that on his return up Market-street, he heard a loud rapping at the door of Mr. Calhoun; he stopped at the said door, and found there William Magruder, esquire. At this moment Mr. James Calhoun put his head out of an upper window, and was informed by Mr. Magruder that General Stricker requested to see him at his house immediately, that he was about to call out the militia. This respondent immediately proceeded to the house of General Stricker, where he found the General, Major Barney, and several other gentlemen. He also found there John Dougherty, esquire, a justice of the peace. Very soon after this respondent entered the house of General Stricker, he was requested, by either the General or Major Barney, (and he does not recollect which) to go out and look for one other justice of the peace, for the purpose of signing an order to the General to call out the militia—he did so, and after a considerable time found a Mr. David Fulton, and accompanied him to the General's, but was informed afterwards that he Fulton declined signing the said order. From the time this respondent first saw Major Barney that evening, until he received orders to call out his troop, there appeared the greatest anxiety on the part of the Major to be authorised

to act, and the instant the order was obtained, he immediately hurried away, and in a much less time than this respondent thought it possible, (suppose about one hour thereafter) was forming, and formed his troop in Market-street, fronting Charles-street; that as soon as the troop had formed, they marched down opposite the house occupied by Messrs. Hanson, &c. This respondent went up Market-street to Hanover-street, and down Hanover-street to an alley that nearly fronts the said house, and thence discovered a number of men with a cannon mounted on wheels. That he saw them about to fire the cannon at the house when Major Barney interposed, and was himself, as this respondent believes, the sole cause of preventing the same from being fired. That throughout the whole of the time this respondent saw and witnessed the conduct of Major Barney, it appeared to him that every possible exertion on his part was used to stop the proceeding of the mob, and to save those that were in the house, and he verily believes, had it not have been for his interposition, the greater part of the gentlemen in that house must have fallen a sacrifice. This respondent saw nothing more of General Stricker after Major Barney received his orders.

Second. What interval of time occurred in your opinion between the formation of the squadron in Market-street under the command of Major Barney and its being ordered to move down Charles-street by that officer?

Answer to second Inter. This respondent answereth and saith, that he did not see the first of the troop when they began to form in Market-street, but saw them afterwards collecting and forming there. That when so formed, they immediately marched down opposite the house in Charles-street.

Third. What number of men and boys were in your opinion wounded by the fire from the house in Charles-street on the night of the 27th.

Answer to third Inter. He saith, he does not know what number of men and boys were wounded.

Fourth. Did you hear any person, and whom, cry out to Major Barney as he was about entering Charles-street with his squadron to be cautious in his movements as the mob had a field-piece or cannon?

Answer. This respondent answers to the fourth interrogatory, that he did hear some person call out, (about the time the troop were about marching down) there is a cannon loaded—which either was, or appeared to be, intended for the troop.

ANDREW PRICE.

Interrogatories by Mr. Dorsy.

First. At what time did Major Barney receive his orders.

Answer. This respondent saith, he cannot say as to the time Major Barney received his orders, it must, however, in his opinion, been about ten o'clock.

Second. How did Major Barney prevent the firing of the cannon, and did no other person assist in preventing the firing of the cannon?

Answer. By alighting from his horse and placing himself before and on the cannon. This respondent saw no other person attempting to prevent the same from being done. This respondent remained opposite the house not longer than about five or six minutes.

Third. You say if it was not for his interposition that you believe that a greater part in the house would have fallen a sacrifice? How did he interpose? Did he charge them with his cavalry to disperse them? Or did he inform them, that if they did not that he would charge them?

Answer. His reasons for believing the interposition of Major Barney saved the greater part of the gentlemen in the house, were founded on what he saw himself, in throwing himself before the cannon, and in placing himself with his troop before the house, and also from what he heard from some of the mob on his return home. He did not see the troop charge, or threaten to charge them, nor does he know of any orders to that effect.

Fourth. Have you heard that any civil or military officers sanctioned the outrages committed by the mob, or excited the mob to action?

Answer. This respondent heard it reported by some person or persons in Baltimore, (but does not know by whom, nor did he believe the report when he heard it) that General Stansbury said in the office of Edward Woodyear, esquire, "that the persons who were in the house in Charles-street merited what they got at the gaol."

ANDREW PRICE.

DEPOSITION
OF
GEORGE LINDENBERGER.

GEORGE LINDENBERGER, being first duly sworn, answers as follows:

First. Some time early last summer, from about nine till after eleven o'clock in the evening, I was a witness to the destruction, by a mob, of a house in Gay-street, in which the paper of the Federal Republican was published.

Second. Edward Johnson, Mayor, was the only civil officer I recognised during my stay. I saw no person use any exertion whatever to quiet or quell the mob. I did not understand that the interposition of the military was demanded, Edward Johnson, with whom I conversed some time, and who, whilst I saw him, was a perfectly quiet spectator; he informed me that he had spoken to Doctor Lewis, the principal, or one of the principal leaders of the mob, and endeavoured to dissuade him from his purpose—Mr. L. replied, that the destruction of the house should be effected, but that no further injury should be done, and advised Mr. Johnson to leave them, or words to that effect; upon this head, however, my impressions are not very distinct.

Third. There appeared to me to be in the front and back buildings, all apparently earnestly engaged in the destruction of the buildings and their contents, perhaps from fifteen to twenty or thirty persons, and they continued so to do during my stay, from almost nine till after eleven o'clock.

Fourth. I could not recognize a single man of the mob.

Fifth. I have no knowledge of a preconcerted plan to attack the house.

Sixth. I have no knowledge of any information given to the civil authority of the contemplated destruction of the building.

Seventh. The probable value of the buildings may be from 2 to 5,000 dollars, I have no data whereupon to conjecture the probable value of the printing apparatus, books and papers, destroyed.

Eighth. I did understand that some of the mob had searched the dwelling house of Jacob Wagner, with the intention of tarring and feathering him, or to do him some other personal injury.

Ninth. I have no particular knowledge of any vessels having cleared out, being stopp'd or dismantled—I did understand that such was the fact.

10th, 11th, 12th, and 13th. No knowledge.

Fourteenth. I have no knowledge of any, except the Mayor, as stated by me in answer to the second interrogatory.

Fifteenth. I was not present when the attack was made on the house in Charles-street, I was then in the western country.

16, 17, 18, 19, 20, 21, and 22. No, nothing of my own knowledge.

Interrogatory put by Mr. Hambleton, one of the Committee, to Mr. Lindenberger.

Had you any conversation with the Mayor during the time the office of the Federal Republican was pulling down? If so, state what it was.

Answer. I had a conversation with Mr. Johnson, the Mayor, and in addition to the conversation as stated in my answer to the second interrogatory, he said, that there was not a person amongst the mob who lived on this side Jones's Falls, meaning on the west side.

DEPOSITION
OF
GEORGE J. BROWN.

GEORGE J. BROWN, being first duly sworn—

Some time in the latter part of June, or beginning of July, of which I am not certain, I received information from different sources, that there was a determination by some disorderly people to dismantle and otherwise injure a Portuguese brig called the Albuquerque, consigned to Brown and Hollins, of which house I am a partner. I applied to the Mayor, Edward Johnson, esq., and informed him that I was apprehensive of some violence of the nature above mentioned, and requested his assistance to prevent the same. Mr. Johnson asked me if the brig was laden? I answered that she was not, but had a part of her cargo on board. He advised me to continue loading the vessel, and if I was at any time apprehensive he would go himself, and do every thing in his power to assist in preventing any injury to the vessel; that if I thought his presence was immediately necessary he would go on board at that time. Not supposing this necessary, I did not request it, but at the same time expressed my fears that if any attempt was made it would be at night. Mr. Johnson still expressed his willingness to exert all his influence to protect the vessel, and requested me to let him know should I ascertain that there was any danger. I proceeded from Mr. Johnson's office to the Point, and upon investigating the matter I did not think it necessary to call upon Mr. Johnson, as I had assurances from many respectable persons at the Point that they would use every exertion to prevent any injury to the vessel.

On the — day of — the troop of horse, called the Hussars, being ordered out, and being a member I attended at the place appointed, whence we proceeded to the house of the Mayor, and from that to St. Paul's Lane, which leads to the post-office; at this time it was dark, a number were assembled here, and after being directed to disperse by Colonel Biays, which was not attended to, he ordered the cavalry to draw swords, which being done, and at the same time the cavalry moving forward a few paces those persons that were opposite moved quickly off, and many left the place entirely. The Mayor was also exerting his influence to disperse them, and such part of his conversation as I heard was, that the laws must and should be supported, and that he would do so at the risk of his life, or words to that effect.

GEORGE J. BROWN.

Annapolis, Decem. 21, 1812.

DEPOSITION
OF
THOMAS ROBINSON.

THOMAS ROBINSON, being first duly sworn--

Inter. first. I do know of the house in Gay-street being destroyed, but who they were that destroyed it I know not.

Inter. second. I was there, I did not take notice of any magistrates or constables there. As to the military I know nothing.

Inter. third. In answer to the third inter. I know nothing.

Inter. fourth. In answer to the fourth, nothing.

Inter. fifth. Nothing.

Inter. sixth. Nothing.

Inter. seventh. Nothing.

Inter. eighth. Nothing.

Inter. ninth. I saw the ship Dumfries dismantled by people apparently riggers.

Inter. tenth. I know nothing.

Inter. 11th, 12th, 13th. I know nothing.

Inter. fourteenth. I saw Mr. Johnson, the Mayor, at Mr. Hutchin's, preventing riot.

Inter. fifteenth. I saw the attack on the house in Charles-street, apparently by boys. I saw a man killed by the effect of firing from the house. I saw Major Barney come with a troop of horsemen to quell the rioters. Mr. Barney told the mob to quit throwing stones, and that he would protect the house till the Mayor would come.

Inter. sixteenth. I know nothing.

Inter. 17, 18, 19, 20. I know nothing.

Inter. twenty-first. I was at the gaol; I saw Mr. Johnson, the Mayor, trying to prevent the people breaking the gaol. I saw the people trying to break the back door. I heard a voice inside say--stop, gentlemen, I will open the door for you; the people stopt striking, and the door was opened; I saw people brought out the front door, and beat, by whom I know not.

Inter. twenty-second. The company I belong to was ordered to meet by verbal notice, some met and was dismissed.

Inter. twenty-third. I was in the neighbourhood of the post-office, I saw the military disperse the people.

Inter. twenty-fourth. In answer to the 24th I know nothing.

THOMAS ROBINSON.

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